Interventionism, Liberalism, and Power-Politics: The Unfinished Revolution in International Thinking

WOLFGANG FRIEDMANN
Columbia University Law School

The deepening debate over the role to be played by the United States in the world, and in particular the widening split over the rights and wrongs of the Vietnamese war, conceals a revolution in international thinking of fundamental proportions. It will be the purpose of the present article to survey the major aspects of this revolution. It will be suggested that the Wilsonian alliance, even identity, between liberal humanitarianism and international activism—which began after World War I and lasted for nearly half a century—has broken up. The continuing weakness of the United Nations—in the areas of international security as well as of international protection of self-determination and human rights—accompanied by an explosive increase in the number of new, economically, militarily, and politically weak states —has accentuated the global strategic and political conflict between the superpowers. This has led to an imperialist strategy of interventionism supported in the United States by right-wing nationalists and opponents of international organization. The strategists of empire are, however, divided between those who recognize a "spheres of interest" accommodation between the United States and its two major opponents and those who claim a universal police role for the United States.

The Alliance of Humanitarians and Internationalists

For nearly half a century—since the end of World War I and the

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establishment of the League of Nations—certain broad alignments and a high degree of continuity in the approach to international affairs prevailed. Humanitarians, liberals, and internationalists could combine in support of the ideals of the League of Nations, in the Wilsonian objectives of substituting international authority for national power, collective security for the national use of force and old-type alliances, the rule of law in international affairs for the supremacy of the sovereign national state. The transfer of the right to use force from individual states to a universal international organization meant protection of the weak states against the strong, the use of law as an equalizer. This was a fundamental revolution in international affairs, for up to 1919 international law had served essentially as a means of regulating diplomatic intercourse between states *in times of peace*. Once a state decided that its national interests or appetites required the use of force, there was no principle of international law to restrain it from doing so.

Together with this new concern of international law for the protection of the weak states against the strong, through an international organization founded on law, went humanitarian concern for the welfare of the individual on an international scale. Its first token was the International Labor Organization, founded together with the League of Nations, and articulating for the first time the concern for the social welfare of people all over the world as an international responsibility. The reorganization of the international community after World War II greatly widened the range of international preoccupations with the individual, not only through the creation of such international welfare agencies as the World Bank, the Food and Agriculture Organization, or the World Health Organization, but also through continuing efforts to formulate international standards of human rights. The 1948 Universal Declaration of Human Rights was followed in 1966 by the Covenants of Human Rights passed by the General Assembly of the United Nations. More important, perhaps, the European Convention on Human Rights sponsored by the seventeen-nation Council of Europe set up for its member states an effective supranational administrative and judicial machinery to protect the rights of individuals even against their own government.

In all these respects, the objectives of humanitarian liberals and

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of what Arthur Schlesinger has called in a recent article in *Foreign Affairs* the "universalists," went hand in hand. Method and objectives were, on both counts, interventionist. If, in the initial stages of the League of Nations, there was a certain confusion between pacifists and advocates of collective security, the successive crises calling for armed intervention by the League against an aggressor—of which the most blatant were Japan's annexation of Manchuria in 1931 and Italy's invasion of Abyssinia in 1935—soon showed that an effective League meant not the abolition of force but the transfer of legal and political authority to use it to the international community. Correspondingly, the concern with welfare, justice, and individual rights on an international scale could become effective only if these matters were made the object of international legislation and judicial institutions empowered to enforce international standards.

Two Kinds of Nationalism

Skeptical of, or openly opposed to, the coalition of humanitarian liberals and universalists were the believers in the nation-state as the ultimate source of power and the focus of individual allegiance and loyalty.

But anti-internationalist attitudes—the disbelief in either the possibility or the desirability of a supranational order that would derogate from the absoluteness of national sovereignty—has always taken two very different and, in many ways, antithetic forms: one is an inward-looking nationalism, the desire to develop national interests and policies with a minimum possible entanglement in foreign affairs and foreign nations; the other is an outward-looking and usually expansionist nationalism, an assertive and often militaristic stance which would inevitably clash with the competing national interests of other nation-states and thus provoke conflict. The second form of nationalism is more highly developed in the major states because it is dependent on military and economic power. Smaller powers can practice expansionist nationalism on a limited, usually regional, scale, as is notably shown by the turbulent history of the Middle East. But even the large powers show the conflict between inward-looking and expansionist nationalism. In nineteenth-century Britain the con-

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flict of attitudes was symbolized by the rival philosophies of the "little Englander" Gladstone and the imperialist Disraeli. On the whole, however, the very fact of world-wide interests—political, military, or commercial—as a country like Great Britain had them since at least the beginning of the seventeenth century made an inward-looking attitude impossible. A maritime power in particular, which must develop and protect world-wide commerce on the seas, cannot but be drawn into the outward-looking and expansionist form of nationalism. Thus Britain—like other colonizing and seafaring powers (Holland, France, Spain, and Portugal)—had to develop a navy capable of protecting its possessions and commercial interests on all the oceans. It had to fight Spain and France in the West Indies, intervene in the Russian-Turkish conflicts, and finally face the major challenge of Germany to its colonial and maritime predominance.

Where one major power achieves such pre-eminence that it cannot be effectively challenged by any other—as did the Roman empire at the height of its power—the progressive expansion of nationalist ambitions leads to the suppression or subjugation of other nationalities. Rome developed from a tribe to a nation, and from a nation to an empire controlling most of Europe, North Africa, and the Near East. There was no rival superpower to contest its law-making supremacy, and it was only gradually, from within the empire, that the conquered peoples developed toward a status of legal and civic equality.

In modern times the claim to empire has to proceed by the suppression of rival national claims. Driven to its ultimate logic, this leads, for example, to the short-lived attempts of the Nazi empire based on the suppression or extinction of other nationalities and races. The Nazi ideology was not the fulfillment but the antithesis of nationalism.

Contradictions in United States Policy

The history of the United States reveals a split personality. Throughout the nineteenth and early twentieth centuries, one dominant theme was the turning away from the conflicts of the nations of Europe. This coincided with a period of relative naval weakness and was progressively modified as the United States be-

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came a major maritime and international commercial power. The attempts of the United States in the first phase of World War I to maintain and enforce its neutrality came to an end with the sinking of the *Lusitania*, America's entry in the war, and the turn from an inward-looking aloofness to the universalist conception of Wilson and the League of Nations. The Neutrality Act of 1935 represented the last desperate attempt to enforce a semi-isolationist kind of neutrality by insisting on "cash and carry" in cargoes, that is, payment in advance and transfer of title taken by any belligerent from the United States. The effectiveness of this last fling at neutrality by a great power was eroded by Lend-Lease and political sympathies even before Pearl Harbor turned the United States into a major belligerent and shocked it into consciousness of its world-power position. This still left open the alternatives between the "spheres of interest" and the "universalist" views (Schlesinger's antithesis), but effectively ruled out the inward-turning isolationist form of nationalism.

In inter-American affairs the United States had, however, always asserted the privileges of a major power, claiming an imperial role in the regulation of continental affairs. Although the Monroe Doctrine of 1823 has never been recognized as part of international law, and although it has been repudiated by many Latin-American states, it has been a pillar of United States policy for a century and a half. Franklin Roosevelt's "Good Neighbor" policy was a partially successful attempt to alter the image of the United States by stressing voluntary coexistence with equals rather than the privileged status of the overmighty. The political significance of American intervention in the Dominican Republic in 1965 lay in the fact that it revived the memory of dozens of similar armed interventions by the United States in the affairs of her smaller neighbors. Unlike earlier interventions, however, this was undertaken in defiance of the emphatic affirmation, in Articles XV and XVII of the OAS Charter, of the absolute integrity and territorial sovereignty of all the member states. It is for this reason that the turn from the original limited objective of protecting the safety and property of a limited number of United States citizens to the claim, made in President Johnson's Baylor speech of May 5, 1965, that the United States could not and would not tolerate a Communist regime in the hemisphere, was seen widely

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as a return to the older philosophy of continental hegemony. Nor can the Dominican intervention or United States action in the Cuban Missile Crisis of October 1962 be taken as an acceptance of the "spheres of interests" philosophy. The deepening involvement of the United States in Vietnam and in other parts of Asia is an expression of a *global* "containment" policy which does not concede regional hegemony to China or any other regional paramount power in a manner corresponding to the hegemony claimed by the United States on the American continent. Present official policy of the United States is, therefore, a combination of a policy of regional hegemony—that is, a "spheres of interest" imperialism—and a "universalist" philosophy with regard to the rest of the world. But it is universalism with a difference. U.S. interventions, especially in Vietnam—whether based on international law or on national interest—are not predicated on collective action by the United Nations or even by a regional defense organization such as SEATO. The intervening power decides unilaterally that its intervention is required; it is both judge and prosecutor. And when the invocation of international law becomes tenuous, old-fashioned national interest takes its place, as in President Johnson's Texas speech of October 1967, justifying United States intervention in Vietnam. Where an intervening power becomes the self-appointed executant of a global policy, the universalism of the League Covenant or the UN Charter becomes a pale shadow. The only conceivable justification for such a dichotomy of attitudes is the assertion that the United States stands, globally and regionally, as a defender of self-determination and freedom, a guardian of the principles of the Charter which the United Nations itself is unable to enforce. In the absence of any international determination or authority, however, such a claim carries no conviction except with those who for reasons of their own are allied with the United States. The assertion of moral ideals or the invocation of law is seen by the opponents of the United States as a thin disguise for the exercise of its national power.

Nationalism and the Smaller Countries

It is essentially a limited number of small or medium-sized, developed, and satisfied states that can practice inward-looking na-

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tionalism, concentrating on the development of their material and spiritual resources, defending themselves as best they can against encroachments but not reaching outward aggressively. The states that spring to mind as being clearly in this category are the smaller countries of Western Europe, notably the Scandinavian states, the Netherlands, Switzerland, and, on this side of the Atlantic, Canada. It is significant that it is these very countries that have, since the end of World War I and even more strongly since the end of World War II, played a leading role in the strengthening of international organization and the struggle for the substitution of international authority for the use of national force. They have repeatedly supplied contingents for United Nations emergency forces, in the Gaza Strip, in Cyprus, in the Congo, or provided mediators for international disputes. They are part of the Western world, that is, they belong to the group of nations that was until very recently responsible for the development of international law. It is because they are, on the one hand, satisfied nations and, on the other hand, too small to be able to aspire to political and military expansion in the mid-twentieth century that they are the chief champions of a moderate "universalism." The attitudes of the newer countries are on the whole more complex and ambivalent. None of them—from giants such as India to dwarfs such as the Maldive Islands—can afford to rely on its own political, military, and economic power. Neither can they accept the *status quo*, in the way that the smaller nations of Western Europe can, because they are to a greater or lesser extent dissatisfied with the present distribution of political and economic power. They will support universal, international organizations, such as the United Nations and the specialized agencies, to the extent that they will reflect and foster the aspirations of the newer countries. The accession of more and more new and weak countries to the United Nations has altered the balance of voting power, though not of military and economic strength. The newer countries will use the General Assembly of the United Nations to the utmost, since it reflects the principle of the equality of nations, big or small, by giving one vote to each. They will support the World Bank and its sister institutions insofar as they are the chief recipients of the aid dispensed by these organizations, and they will strongly support such newer organizations as UNCTAD, in which the developing

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countries form a special group of their own, designed to improve the terms of trade and other economic relations of the developing vis-à-vis the economically developed world. On the other hand, their attitude has generally been one of aloofness and skepticism toward the International Court of Justice which they take to reflect by and large the international legal system as developed by the Western world. The recent judgment of the International Court in the Second Southwest Africa Case, which, blandly repudiating an earlier judgment to the contrary, rejected the claim of Liberia and Ethiopia to have standing to challenge the apartheid policy of the Union of South Africa in Southwest Africa, has greatly increased the distrust of the newer countries in the role of the Court.

Postwar Developments and the Change of Fronts

It is a remarkable fact that the alliance between the internationalists, the humanitarians, and the liberals generally held firm, from the early days of the League of Nations through the various crises of the League of Nations, the Spanish Civil War, World War II, and most of the postwar period. A number of factors combined to keep these various ideological groupings together. It was not so surprising that the League of Nations in its first phase received the enthusiastic support not only of the internationalists but also of humanitarian liberals. After the carnage and devastation of the war, the new belief in the substitution of international law for national force was still fresh and untried enough to put the various idealisms together, especially as the International Labor Organization and the establishment of the Permanent Court of International Justice were symbols of the concern for social welfare and international justice. In the supreme crisis of the League of Nations—the question of the application of sanctions against Italy after the invasion of Abyssinia—the front held, since the desire of the internationalists to stop and punish so naked an act of aggression went together with the liberal and humanitarian hostility to the Fascist regime of Mussolini's Italy and the corresponding desire to protect a small and unaggressive country. The emasculation of League sanctions—from which coal, steel, and oil, the most important

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items, were exempted—gravely weakened faith in the effectiveness of international security organization. The Spanish Civil War put a further strain on the old alliance of forces, since, on the one hand, devoted Catholics generally felt bound to follow the strong support of the Catholic Church for the Franco regime and, on the other, liberals and moderate Socialists found themselves in an alliance of necessity with Communists and the Soviet Union in support of the Republican government. By that time the League of Nations was already too much weakened by the disaster of the Abyssinia episode to play any role. But, generally, those who supported strong League action against Italy in the Abyssinia invasion also favored the Republican forces in the Spanish Civil War, especially in view of the blatant political and military support given to Franco from the very beginning by Hitler and Mussolini. And it was on a much larger and more decisive scale that the anti-Fascist forces joined the supporters of universalist ideology to form the great coalition of World War II. On the one side were the Fascist and aggressive powers, Hitler's Germany, Mussolini's Italy, and, later, the Japan of Pearl Harbor and the "Co-Prosperity Sphere"; on the other side were the remaining democracies of Western Europe and, later, the United States. The world-wide coalition against fascism was also a world-wide coalition against aggression. The association of the Soviet Union with the Western democracies was made possible because she was a victim of aggression and her support was needed to make victory over the Fascist powers possible. The problems which were later to take prominence in the cold war phase were not yet of primary importance. The Atlantic Charter could combine the proclamation of resistance to Nazi aggression with yearning for freedom and social progress, a yearning which found notable expression in the 1945 Labor victory in Britain and the series of welfare-state projects and nationalizations of basic industries in Britain and France. The United Nations Charter embodied the aspirations of a more sober, more realistic, but still hopeful, world in the combination of the concept of world-wide security under the auspices of the Security Council with the predominance of the Big Five (in effect, Four) acting as joint guardians of world peace and joint custodians of a defeated, but soon to be reunited and reconstructed, Germany.

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Anti-Communism and the Growing Split

Even the growing impact of the cold war—manifested in the division of Germany, the failure of the attempt to set up an international military force as provided by the United Nations Charter, and the increasing use of the veto by the U.S.S.R. in the Security Council—still left the combination of liberal humanitarians and international activists basically intact. Liberals and believers in the idea of collective security generally supported the attempt to substitute in part regionally collective defense organizations, notably the North Atlantic Alliance, for the shattered structure of universal collective security. Creators of the NATO Alliance were such good internationalists as Lester Pearson of Canada and Senator Vandenberg of the United States. At the same time the Marshall Plan of 1947 laid the basis for a continuing and world-wide involvement of the United States in reconstruction and development aid, supporting the objectives of the International Bank for Reconstruction and Development and appealing equally to universalists and humanitarians. But the beginnings of future discords and reversals of attitudes began to be apparent in the growing significance of anti-Communist ideology. Those primarily preoccupied with ideological and strategic opposition to Communist expansion could go along with NATO and other regional defense organizations. But this became increasingly difficult as regional defense organizations such as OAS and SEATO were used as instruments by the United States of its power conflicts with major opponents. The growing depth of the ideological split and the passions engendered, especially in the United States, by the fear of "international communism" brought the first of a number of major shifts in the alignment of forces. On the one hand, many, though by no means all, liberals and humanitarians do not feel the same way about communism as they do about fascism. While strongly opposed to totalitarianism, dictatorship, and the suppression of human freedoms, they see in communism at least the potential of a liberating force, a concern with human values and social and economic progress together with a rejection of racial antagonisms. In fascism, on the other hand, especially in the Nazi version, they see nothing but a nihilistic lust for power, a rejection of any international order, the glorification of race hatred and even genocide, and the perversion of nationalism into a full-fledged imperialism that suppress-

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es the autonomy of nations and self-determination. While, during the height of the Stalinist terror, the differences between the two types of regimes tended to recede, they have again come to the fore since the relative liberalization of the Soviet regime after the death of Stalin and the stabilization of positions at least in Europe. This meant that liberals and humanitarians would be less inclined to regard communism, and the danger of its advance, as an absolute evil comparable to the aggressive expansion of fascism. On the other side, many nationalists and isolationists—who had viewed the suppression of liberal and democratic forces in Europe with indifference or who had even welcomed the German Nazi regime as a counter-weight to, and possible destroyer of, Communist Russia —tended to become the ardent champions of an interventionist foreign policy by the United States, provided it was designed to keep communism everywhere in check or even to push it back. In the cry of resistance to International Communism two different objectives and perspectives often become inextricably confused: the hostility to communism as a social philosophy repugnant to the "American way of life"[1] and resistance to a conglomeration of powers that are considered a threat to the national security of the United States. In the official defense of United States involvement in Vietnam there is a constant shift between the two, so that it is impossible to ascertain whether the United States would feel compelled to continue to fight in the interest of national security even if a war-weary South Vietnam decided to make peace with the Communists and to accept the possibility of a Communist-controlled unified Vietnam. Where, as in the Cuban Missile Crisis, the ideological element was overshadowed by the national security confrontation between the United States and the U.S.S.R., U.S. intervention received almost universal support, domestically and internationally. In their extreme form, the anti-Communist interventionists support preventive war, against the Soviet Union, or, at a time when the Soviet Union appears less menacing, against Communist China. The ultimate reason for this conversion of neutralists and isolation-

[1] It would require a separate study to analyze the meaning of "American way of life" in this context. Briefly, it combines glorification of an ideology of private initiative and hostility to all kinds of socialism (mostly identified with public enterprise and social welfare schemes)—an ideology that bears little resemblance to the realities of contemporary American life—with belief in political democracy of the American style.

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ists to interventionists—globally although even more emphatically within the American hemisphere—is their fear that communism might ultimately threaten their own essentially conservative and capitalist way of life and conception of society. It is generally the same forces—intensely nationalistic, ardent advocates of a strong military establishment, and passionately anti-Communist—that are also skeptical of, or downright hostile to, any development aid other than assistance to anti-Communist countries. They tend to look upon the new countries as potentially more susceptible to Socialist—which to most of them means the same as Communist—ideologies and influences. They are instinctively skeptical about the humanitarian motivations of foreign development aid and cynical about the usefulness of such aid except as a *quid pro quo* for the promise of military support. They also continue to see communism as a monolithic phenomenon, an international force united and clear in its purposes, in Cuba or North Vietnam or in the election of a left-wing government in the Dominican Republic.

The reverse side of this picture is that liberal humanitarians—and to a large extent the supporters of the United Nations as a collective force for peace—have adopted certain aspects of what superficially appears like isolationism in their hostility to ubiquitous American political and military entanglement. The new attitude is, however, more than a reaction to the interventionism of the onetime isolationist nationalists. It is supported by the disintegration of international communism as a monolithic force, the undoubted emergence of nationalist dissensions and policies within the Communist camp corresponding to the growing diversities and dissensions in the Western camp. The humanitarian liberals believe that diversity in communism counters the monolithic and aggressive character of the ideology. They therefore welcome the emergence of nationalist communism, although ideologically they, like the supporters of universal organization and security, reject nationalism in principle as an outdated phenomenon, inappropriate to the realities of the mid-twentieth century. A painful but inevitable consequence of this attitude of non-interference is the sacrifice of the humanitarian-universalist crusading zeal directed against oppressive regimes. Non-intervention means tolerance of foreign revolutions even if they are brutal and undemocratic and suppress human rights. This is in accordance with the fundamental

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principles of international law, which is based on the coexistence of sovereign states differing widely in their political and social structure. It is quite contrary to the Wilsonian tradition: in his first term, Wilson sought to withhold recognition from the revolutionary Mexican regime because of its "unconstitutional" methods. And many liberal internationalists would have supported foreign intervention against the internal brutality of the Nazi regime. If it is for the Vietnamese to settle their affairs without foreign interference, by civil war or otherwise, the same principle must be applied to South African apartheid, however brutal, as long as it remains within the borders of the Union. (Its application to the trust-territory of Southwest Africa raises, of course, international issues which have been the subject of successive actions before the International Court.) The justification for the shift in attitude is threefold. First, the United States has long abandoned the attempt to enforce democracy abroad. The majority of present-day governments are undemocratic; any general policy of seeking to topple or modify them would be vastly beyond the resources of any power. It would also be self-defeating, since foreign interferences stimulate nationalist resistance. Even the modest and benevolent American attempts to use Alliance for Progress assistance for internal changes have aroused opposition in Latin America. Second, the United States has been noticeably more tolerant of right-wing than of left-wing dictatorships, for example, in Latin America. It has had friendly relations with right-wing dictators like Perón of Argentina, Jimenez of Venezuela, Batista of Cuba, Stroessner of Paraguay, and, for most of the time, Trujillo of the Dominican Republic. But it intervened against left-wing regimes in Guatemala, the Dominican Republic, and Cuba, and, outside the Americas, in Greece (1947) and Vietnam. Since in the new countries nationalism and Communist left-wing movements are often allied, because both are directed against social and economic oppression —much of it linked with foreign interests—United States intervention against left-wing nationalism of necessity must often ally itself with reactionary forces and the social *status quo*.

Third, humanitarians and internationalists both support collective action against external aggression. In the Korean conflict of the early fifties United States intervention had their general support because it arose from an open—though not perhaps entirely

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unprovoked—act of aggression by North Korea and was sanctioned by the United Nations. The deep split over United States intervention in Vietnam stems from disagreement between government and opposition about the real character of the conflict. Whereas the government maintains that it merely resists aggression by North Vietnam against an independent South Vietnam, the opposition stresses that the original United States intervention in setting up a separate anti-Communist state of South Vietnam, in violation of the Geneva Accords, was designed to prevent Vietnamese unification under Communist auspices and antedated the introduction of organized North Vietnamese military forces.

The New American Interventionism and the Revolt of the Liberal Internationalists

It is opposition to the *unilateral* use of military and economic power for intervention in various parts of the world, as distinct from the use of military and economic force as international sanctions of law on behalf of the international community, that is the main reason for the growing rebellion of the liberal-internationalist group against the new American interventionism. The mere use of collective and legal phraseology—such as the "right of individual or collective self-defense"—ceases to carry conviction when the actual decisions to intervene, by military and economic means, are made, not by an international security organization—the United Nations or even NATO, SEATO, or OAS—but in the Pentagon and the White House. To the great majority of nations, as to a large number of Americans, the assertion that the United States intervenes in Vietnam or in the Dominican Republic in order to safeguard freedom and self-determination against aggression or tyranny is unconvincing. This is not the place to reiterate the legal debate on these issues, nor to weigh the political or moral aspects of intervention in a particular case. What matters is that a unilateral national decision to use military power is in essence a return to the pre-1919 policies, disguised by a fragile collectivist phraseology. Liberal and universalist opinion is all the more opposed to such a return as it occurs in a kind of international society which was virtually non-existent in 1919 and barely discernible in 1945, a society in which the multitude of new states which until

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recently were in a colonial or quasi-colonial status are accorded the right of self-determination. While the sovereign equality of states has always been a theoretical postulate of international law, most of the nation-states of our day—Asian, African, and in effect though not in name most of the Latin American States—were excluded. Such emphatic assertions of territorial integrity, independence, and self-determination as the relevant articles of the OAS Charter or the "Principles of International Law concerning Friendly Relations Among States," formulated by a Special United Nations Committee in 1966, are recent expresssions of both factual and ideological developments that postdate the United Nations Charter. Although the proliferation of nation-states, which has more than doubled the number of "sovereign" states in a decade, is an anachronism, at a time when the discrepancy between nominal and actual sovereignty is greater than ever and effective power concentrated in the hands of fewer and fewer states, it is a political reality. It has aggravated the dilemma of the United States. The growing gulf between the assertion of hegemonial power and the strategic interests of a world power, on the one hand, and respect for international law and the self-determination of nations, on the other, becomes more and more difficult to bridge. On the one side, there are those who believe that in the reality of the power struggle between the United States and its two principal rivals, the U.S.S.R. and China, respect for international law, self-determination, and the like must come second. Such principles will, in Dean Acheson's phrase—used on the occasion of the Cuban Missile Crisis—serve as "ethical restraint" but will yield to higher necessities. Not all of those who oppose this view are inspired by an overriding respect for the rule of law in international affairs or the self-determination of small and weak countries. An influential segment of the opposition comes from those whom Arthur Schlesinger describes as the advocates of a "spheres of interest" approach. The proponents of this view accept the reality of the big power struggle and the claim of any of the superpowers to some regional hegemony in areas and matters of paramount proximity and importance. They maintain that such a right must be reciprocal and that what the United States claims in the American hemisphere must be conceded to the Soviet Union and to China —even a Communist China—in their respective paramount spheres

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of influence. As earlier advocates of such an approach, Schlesinger mentions Wallace, Harriman, and Kennan. Among contemporaries, Walter Lippmann, Hans Morgenthau, and others, including some military leaders, may be added. By contrast, the heirs of the humanitarian and internationalist tradition believe that, in the contemporary world, the overwhelming physical and military power of a few superstates—which tend to neutralize each other short of a nuclear catastrophe—is countered by the increasing collective influence of the growing number of medium and smaller states, inside and outside the United Nations. Respect for the principles of international law—which are largely designed to protect the weaker states against the superiority of the large powers—is a vitally important factor in the balance of world politics. The adherents of this view also point out that the United States has been least successful and incurred the heaviest burdens where it has intervened directly and by military force, as in Vietnam, whereas some of the internal revolutions most beneficial to the anti-Communist world and the interests of the United States have occurred from within, as in Indonesia or Ghana, and that several of the new African states have revolted against excessive Chinese interferences in areas where the United States has abstained from intervention.

A small band of liberals still dares to argue in terms of moral issues rather than of *Realpolitik*. Thus, Senator Fulbright asserted recently that even if North Vietnam were defeated the U.S. intervention in Vietnam would be a moral wrong. A by-product of this deepening conflict is the fate of foreign development aid. It is not without bitter irony that men like Senator Fulbright—whose name first became known through his sponsorship of the use of lend-lease counterpart funds for the advancement of international educational exchanges and who has been an advocate of development aid for many years—should now oppose the United States program for development aid. The explanation of this change must be seen in the intimate association of economic and military assistance and the use of economic aid, directly or indirectly, for the bolstering of states and governments in which the United States has a strategic interest. Hence, Senator Fulbright advocates —though with scant hope of success—a far-reaching transfer of development aid to multinational institutions such as the World Bank or its affiliated agency, the International Development Asso-

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ciation. Since any far-reaching transfer of United States and other national development aid to international agencies is extremely unlikely, the practical result of this attitude is, unfortunately, a net reduction of the total amount of development aid.

The Split of the Intellectuals

The collapse of the alliance between the different groups and movements which have for so long marched in step is reflected in a deep split between the approaches of intellectuals to the major foreign policy problems of this time. Whereas one group of intellectuals regards the danger of interventionist power politics as so overwhelming that it is willing to sacrifice much of the humanitarian concern for universal freedom and democracy, another, on the contrary, regards it as the foremost task of American intellectuals to accept the world-wide struggle of power and ideology as the controlling facet of international politics, and to formulate the objectives of United States policy accordingly. The latter approach is clearly shown in a recent article on "American Intellectuals in Foreign Policy."[2] In this article the author launches a broad attack upon the contemporary American intellectual community because it fails to give the "intellectual and moral guidance" to the imperial policy which the United States has to pursue

> in order to sustain a world order that (a) ensures its national security as against the other great powers, (b) encourages other nations, especially the smaller ones, to mold their own social, political and economic institutions along lines that are at least not repugnant to (if not actually congruent with) American values, and (c) minimizes the possibility of naked, armed conflict.

The foregoing analysis should have shown that this formulation of the objectives of United States policy slurs over the clashes between these various objectives. The author asserts that the intellectuals of this country (and apparently intellectuals everywhere) have overwhelmingly been dissenters from national policy.[3]

[2] Irving Kristol, "American Intellectuals in Foreign Policy," *Foreign Affairs*, XLV (1967), 594 *et seq.*

[3] Mr. Kristol's definition of an intellectual "as a man who speaks with general authority about a subject on which he has no particular competence" may be added to the list of deprecatory definitions of intellectuals given by

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He observes that "no modern nation has ever constructed a foreign policy that was acceptable to its intellectuals." This is an astonishing assertion to make for a citizen of a country whose structure and policies were forged by the most eminent group of intellectuals ever to guide a nation—men like Adams, Franklin, Jefferson, Madison, Paine. They were not perhaps the type of intellectuals acceptable to Mr. Kristol, since their predominant philosophy was humanitarian and influenced by the rationalist enlightenment outlook of the *encyclopédistes* of the eighteenth century.

But the role of the intellectuals in the nineteenth century should be much more to Mr. Kristol's liking. For as Julien Benda has shown in his classic study *La Trahison des Clercs*, intellectuals have played a decisive role throughout the nineteenth and early twentieth centuries in the shaping of nationalist ideologies and the support of nationalist policies. Nor is this merely a question of intellectuals usually being ready to support the nation at "moments of national peril or national exultation." The influence of men like Fichte, Hegel, Nietzsche, Mazzini, Gentili, Barrès, or Maurras on the strident nationalism of Germany, Italy, and France, their influence not only on ideology but on the actions of political leaders such as Hitler, Mussolini, or de Gaulle can hardly be exaggerated. Nobody illustrates the capacity of intellectuals to rationalize nationalism and imperialism more powerfully than Hegel, one of the principal mentors of both German and Italian aggressive nationalism. By manipulating his dialectical categories so as to make the nation-state, pursuing its destiny by war, the ultimate instrument and fulfillment of the *Weltgeist*, and by simultaneously extolling absolute monarchy against any form of democracy or liberalism, as a matter not of political choice but of dialectical necessity, Hegel provided spurious intellectual underpinning for the policies that culminated—and finally collapsed—in Hitler's Germany and Mussolini's Italy. More than any other intellectual, Hegel symbolized the role of the intellectual as the rationalizer of national ambitions.

Richard Hofstadter in his book, *Anti-Intellectualism in American Life* (New York, 1963), 9 ff. Mr. Hofstadter himself describes as characteristic qualities of an intellectual (as distinct from a professional) "disinterested intelligence, generalizing power, free speculation, fresh observation, creative novelty, radical criticism" (p. 27).

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Fortunately, there are others. As was pointed out some years ago by Marcus Cunliffe,[4] there have been essentially two types of intellectuals: those acting as spokesmen of the society in which they live, and those who are alienated from the assumptions on which their society rests. Insofar as one of the essential attributes of an intellectual is his power of critical analysis, it is natural that many, but by no means all, intellectuals should be critical of their society. But the days when intellectuals as a class, in America or elsewhere, were a dissident minority, regarded with universal suspicion and excluded from seats of power, are over. Today, as Hofstadter points out, the great majority of intellectuals, be they lawyers, political scientists, economists, or scientists, are exposed to conflicting pulls—to assume a detached and independent critical posture, or to accept the challenge of responsibility and the sharing of power. Mainly under the Roosevelt and Kennedy administrations, but also under the Johnson administration, intellectuals have played prominent parts in the articulation of policies and in their intellectual vindication. As senior policy-making officials or ambassadors, men like Adlai Stevenson, McGeorge Bundy, Arthur Schlesinger Jr., George Kennan, John Kenneth Galbraith, and many others who, whether professional academics or not can be described as intellectuals, have played leading roles. At the present time Eugene and Walt Rostow and Nicholas Katzenbach, all academics by profession, hold key positions in government. Moreover, some intellectual critics such as Senators Fulbright or Eugene McCarthy are part of the machinery of government even though they hold no executive positions of command. Kristol's contention that intellectuals generally refuse to descend from the level of abstraction to the concrete demands and conflicting aims and practical necessities which determine foreign policy is, at the very least, a gross exaggeration. It also ignores the fact that many intellectuals are almost pathologically afraid of being branded as "starry-eyed idealists." Emphasis on the realities of power, rejection of blueprints, a deliberately "value-neutral," scientific "behaviorist" approach to the consequences of a thermonuclear holocaust characterize a great deal of modern political and social science. To state an issue in terms of moral right and wrong is widely regarded as naïve. Most of the debate about U.S.

[4] "The Intellectual School in the U.S.," *Encounter*, IV (1955), 23 ff.

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interventions, in Vietnam and elsewhere, proceeds in terms of national interest and *Realpolitik*. Moral issues are left to religious leaders and even they often talk in terms of political strategy. If intellectuals as a whole were to concentrate on the task of formulating an imperial United States policy, the critical function of intellectualism as a public voice would disappear. Some intellectuals would retreat into seclusion, while the majority would become the obedient spokesmen of government, using their intellectual skills like many of the jurists and political scientists who formulated the philosophies of fascism and communism and supported their political masters through all their perversions and excesses.

Some Conclusions

The division of approaches to the conduct of international affairs which has been briefly surveyed here reflects the agony and travail of a country torn between a moralizing tradition and the demands and aspirations of an imperial power.

There is no indication that this conflict will be resolved in the foreseeable future. One way to resolve it would be the complete subordination of legal and moral restraints to global-power strategy. This may happen if the tensions between the United States and its major rivals become more acute, through a further escalation of the Vietnam War, through an intensification of the armament race, or through direct confrontation elsewhere, for instance, in the Middle East. Such a development would bring to the fore a coalition of military men, scientists, technocrats, politicians, and "realist" intellectuals who would combine a virulent anti-Communist ideology with an unrestrained primacy of military and strategic needs. It would lead to the gradual suppression of dissent and move the United States closer toward the society of 1984.

The opposite extreme would be a return to an inward-looking defensive nationalism, marked by a policy of non-involvement in foreign affairs except those immediately affecting the physical security of the United States. This would be a radical reversal of the entire postwar trend of American policy, of its world-wide economic and military investments, and is hardly imaginable without a radical revision of United States policies and commitments

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on all the continents except perhaps Africa, where the American involvement is limited.

A third, "universalist," solution, that is, a strengthening of international authority and law enforcing machinery, is less likely than at any time since World War II in view of the deep fissures within the United Nations and its growing inability to provide even limited order forces, let alone the major military security establishment envisaged in the Charter and based on joint policies and operations of the major powers.

Perhaps the only realistic alternative to the steady escalation of naked imperial power struggle is the strengthening of several regional collective organizations which would, to a large extent, take over security functions from the United Nations, although the latter would retain its reserve function as the world's only universal forum and ultimate arbiter. This would, however, imply an acceptance of the "spheres of interest" approach. In other words, neither the United States nor either of the other superpowers could assume responsibility and prerogatives outside its own sphere of predominant interest. The United States would obviously be the major guardian of a strengthened Western hemisphere organization and retain a major interest in the Atlantic sphere, depending on the importance of its military and logistic role and on the extent of Western European integration. The adjustment between the "Eurasian" and "East Asian" spheres—marked by clashes between the aspirations of the Soviet Union and China—remains uncertain. This last prospect looks remarkably like George Orwell's vision of the three empires of 1984, a grim but far from unrealistic vision. The only modification might be a stronger voice for the smaller and medium states inside the collective regional organizations, as a partial substitute for the fading vision of a universal organization entrusted with the guardianship of peace and security throughout the world.

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Epidemiology and the Slave Trade

PHILIP D. CURTIN
University of Wisconsin

Historians have begun to show a new interest in the slave trade. Recent developments in historical demography, economic history, and the history of Africa have solved some of the old problems and posed new ones. The mere passage of time makes it possible to go beyond the largely humanitarian concerns of the nineteenth-century writers, concerns that arose out of the great debate over slavery as a question of policy. We can now accept the trade as an evil and move on to the problem of why and how it took place for so many centuries and on such a scale.

The recent trend toward a world-historical perspective and away from parochial national history also calls for a new approach to the broad patterns of Atlantic history. Social and economic development on the tropical shores of the Atlantic was a single process, regardless of the theoretically self-contained empires of mercantilist Europe. From the late sixteenth century to the early nineteenth, the central institution was the plantation, located in tropical America, worked by slave labor from tropical Africa, but directed by Europeans and producing tropical staples for European consumption. The broader patterns of society and economy were much the same in all the plantation colonies, regardless of metropolitan control. These patterns were not only different from those of Europe; they were also different from those of European settlements in temperate North America, the Indian Ocean trading

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posts, and territorial empires in New Spain and Peru. Yet the commercial influence of the plantations stretched far and wide—to the English settlements of North America, to mainland Spanish America, and even beyond the Atlantic world to the textile markets of India. The whole complex of commerce and production was an entity which can be called the South Atlantic System.

I

The slave trade was a key institution in this system, as it was in the history of the United States; but in the broad view North America was only marginal to the system as a whole. The "cotton kingdom" of the nineteenth century was a late flowering of the slave plantation. The thirteen colonies imported very few slaves before the eighteenth century; even then, they received only about twenty per cent of the British slave trade between 1700 and the American Revolution. Through the whole course of the slave trade, the present territory of the United States imported less than five per cent of all slaves brought to the New World.[1] Important as slavery and its aftermath have been for the history of the United States, the fundamental development of plantation slavery in the Americas took place elsewhere—in tropical America.

The first territory to achieve a full-blown model of the South Atlantic System was Brazil in the late sixteenth century. From these beginnings it spread to the Caribbean, where it reached a kind of apogee in the late eighteenth century, just before the Democratic Revolutions. As a pre-industrial economic order, the system had some remarkable features at the very beginning. Nothing in earlier European economic experience could compare with its

[1] The most careful and probably the most reliable recent estimates of the British slave trade between 1701 and 1775 are those of K. W. Stetson, "A Quantitative Approach to Britain's American Slave Trade" (unpublished M.S. thesis, University of Wisconsin, 1967). An authoritative estimate of the total slave imports into the United States indicates that total imports were probably less than 400,000 and certainly not more than 500,000. (J. Potter, "The Growth of Population in America, 1700-1860," in D. V. Glass and D. E. Eversley [eds.], *Population in History: Essays in Historical Demography* [Chicago, 1965]). The size of the total Atlantic slave trade is considerably reduced by recent monographic research from the earlier estimates of fifteen or twenty millions, or even more. Until more research is published, however, a round number of ten million seems a reasonable guess.

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dependence on long-distance transportation. Not only was virtually all of output of the plantations consumed in Europe; timber, cattle, and even food were often imported from North America or Ireland. Most remarkable of all, the system apparently required a continuous and growing stream of workers from tropical Africa, a trade in human beings that became the most massive intercontinental migration before the industrial era.

A full explanation of the demographic, economic, and social forces that set this trade in motion is not yet available. It is clear, however, that they included both a European demand and an African supply. On the supply side in particular we still know far too little about the sources of slaves within Africa, about the commercial institutions through which they were delivered to the coast, and about the technological and economic conditions that made it possible for African societies to sell slaves on terms of trade that were extremely favorable to European buyers. The demand side is far better documented, but many difficulties remain. One of these is a location problem which has bothered students of the slave trade since the early eighteenth century: given a European demand for tropical staples, why satisfy that demand by placing the plantations several thousand miles away from the principal source of labor?

One form of answer can be found in the chronological sequence through which the South Atlantic System grew out of its Mediterranean origins. Long before the discovery of the Americas, Europeans had created an embryo of the later South Atlantic System. Venetians, Genoese, Catalans, and others had sugar grown in overseas "colonies" like Crete and Cyprus and Sicily. These early plantations were often worked by slave labor supplied through the existing Mediterranean slave trade, some of it from the Mediterranean basin itself and some of it imported from the slave-trade posts of the northern and eastern Black Sea coasts. In the late Middle Ages, sugar planting migrated westward, first to southern Iberia, then to the Atlantic islands like Madeira and the Canaries.[2] With the great sixteenth-century maritime out-

[2] For this development see the work of Charles Verlinden, particularly: *Précedents médiévaux de la colonie en Amérique* (Mexico, D. F., 1954); "Les origines coloniales de la civilisation atlantique. Antécédents et types de structure," *Journal of World History*, I (1954), 378-98; "La colonie vénitienne de

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burst into the Atlantic, newer and greater opportunities presented themselves.

The Europeans experimented with a number of alternative locations and forms of development between about 1500 and the middle of the seventeenth century. In the early sixteenth century, plantations were established on São Thomé in the Gulf of Guinea, convenient to a source of slave labor in tropical Africa. Another alternative was to offer technical assistance to an African state, which might then produce goods for the European market. This was tried most intensively by the Portuguese in the kingdom of Kongo at the same period.[3] On the American shore, plantations were also established using varying sources of labor. Indian slave labor served the Portuguese in sixteenth-century Brazil and the Spanish in sixteenth-century Hispaniola.[4] European labor, most of it either forced convict labor or contract labor, was used extensively by the French and British in the Lesser Antilles, especially during the middle third of the seventeenth century.[5] But the combination that appeared to work best, and which spread most widely, was the plantation located in tropical America, staffed by European managers, and worked by slaves from Africa. The solution of the early planners was thus empirical; trial and error showed that the expedient of importing labor from Africa to the American plantations succeeded, while other alternatives failed.

II

Though the full explanation must wait for further research into supply and demand conditions on both sides of the Atlantic, one aspect worth exploring is the epidemiology of migration. Europeans discovered at a very early date that they experienced high

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Tana, centre de la traite des esclaves au xive et au début du xve siècles," *Studi in onore di Gino Luzzato*, 2 Vols. (Milano, 1950), II, 1-25; *L'esclavage dans l'Europe médiévale. Peninsule Ibérique-France* (Bruges, 1955).

[3] J. Vansina, *Kingdoms of the Savanna* (Madison, 1966), 41-64.

[4] M. Ratekin, "The Early Sugar Industry in Española," *Hispanic American Historical Review*, XXIII (1954), 1-19.

[5] F. W. Pitman, *The Development of the British West Indies* (New Haven, 1917); Léon Vignols, "L'institution des engagés, 1624-1774," *Revue d'histoire économique et sociale*, I (1928), 24-45; G. Devien, *Les engagés pour les Antilles, 1634-1713* (Paris, 1952).

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mortality rates overseas. The Portuguese failure in Kongo is largely accountable to the high mortality rate among missionary and agents sent to Africa. On the American side of the ocean, planters soon found that both the local Indians and imported European workers tended to die out, while Africans apparently worked better and lived longer in the "climate" of tropical America.

Their first explanations were overwhelmingly racial. Europeans in tropical America believed that Negroes were peculiarly immune to the effects of a hot climate, just as Europeans seemed peculiarly liable to death in the climate of the West Indies or the "white man's grave" on the Gulf of Guinea.[6] The same racial theories could be used to explain that American Indians were not useful, since they were a "weak race" that died out on contact with "white civilization." The general conclusion, that certain races had inborn qualities of strength and weakness fitting them for specific "climates," became an accepted "fact" and a cornerstone of pseudo-scientific racism.[7]

This racist explanation has, of course, been contradicted long since, not merely by the general fall of pseudo-scientific racism, but also by the genuine fact that people of European descent now live as successfully as anyone else in tropical environments—those of Cuba, Costa Rica, Puerto Rico, and Queensland, among others. Yet we are left with the judgment of generations of planters in the Caribbean and Brazil that Negroes were somehow much better workers than any other group.

This opinion might be written off as a social or race prejudice —no one wants to work in the hot sun if he can find someone else to work for him—but epidemiology suggests another answer.[8] People die from disease, not from climate, and the world contains

[6] See P. D. Curtin, "'The White Man's Grave': Image and Reality, 1780-1850," *Journal of British Studies*, I (1961), 94-110.

[7] P. D. Curtin, *The Image of Africa* (Madison, 1964), 227-43, 363-87; R. H. Pearce, *The Savages of America* (Baltimore, 1952), 42-49; P. M. Ashburn, *The Ranks of Death* (New York, 1947), *passim*.

[8] The standard general work on epidemiology is Maxcy-Rosenau, *Preventive Medicine and Public Health* (New York, 9th ed., 1965), edited by Philip E. Sartwell. But the most convenient recent and brief summary is Ian Taylor and John Knowleden, *Principles of Epidemiology* (London, 1964). I should like to express my appreciation to Dr. Alfred S. Evans, professor of epidemiology, Yale University, for his kindness in introducing me to this field.

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many different disease environments, each with a range of viruses and bacteria that differ in varying degrees from those found elsewhere. Physical environment and climate obviously play a role, but epidemiological differences exist even where physical environment is the same. In the United States, for example, measurable differences in the incidence of disease are found in a single region, even between an urban area and the surrounding countryside.

One cause of this diversity is relative isolation. Diseases themselves change radically over short periods; new strains of virus or bacteria appear, and old strains die out. These changes are not merely random; they are often a response to the immunities of the host population. (A recent and striking example is the appearance within the past two decades of a new strain of the malarial parasite, *Plasmodium falciparum*. This strain is resistant to the chloraquin preparations, which earlier varieties of *P. falciparum* were not, yet the new anti-malarials came into use only at the end of the Second World War.) At the same time, the host population itself develops immunities to the endemic diseases of its environment. Thus, each disease environment has a constantly changing equilibrium between the host population's pattern of immunity and its range of endemic desease. The more isolated a human community, the more specialized and individual its disease environment is likely to become.[9]

In the longer sweep of history over the past two or three millennia, increasing intercommunication has made disease environments more nearly alike, not more diverse; but each breach of previous isolation has brought higher death rates, as unfamiliar diseases attacked populations whose environment provided no source of immunity.[10] The Atlantic basin on the eve of the great European discoveries was especially open to this pattern of high death rates from new diseases. All the shores of the Atlantic were relatively isolated from one another. As men moved across the ocean from one disease environment to another, their death rates rose—the increased mortality of human migration. As diseases

[9] See T. Dublin and B. S. Blumberg, "Inherited Disease Susceptibility," *Public Health Reports*, LXXVI (1961), especially 499, 502.

[10] William H. McNeill, in *The Rise of the West* (Chicago, 1963), has traced this pattern in world history.

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moved with them from one previously isolated environment to another, they spread to non-immune host populations, who then experienced the increased mortality of disease migration.[11]

This interchange of diseases and peoples was extremely complex, and the data are far from complete. The historical process will not be fully understood until comparative statistical and medical studies have been made of the many isolated peoples who were brought into contact with the ecumenical range of disease between the sixteenth century and the present. This would include many different American Indian groups, the Maori and other Polynesians, the Australian aborigines, and the Koisan-speaking peoples of southern Africa.

Present medical knowledge, however, can outline certain theoretical limits and some of the conditions to be expected when a non-immune population meets a range of new diseases. Some theoretical expectations can be based on the process of immunization itself. The most significant immunities are acquired, not inherited. The ordinary procedures for artificial immunization are based on the the fact that people can create antibodies which will oppose specific forms of infection. The individual can be immunized either by giving him antibodies directly, or else by inducing a light infection so that his own organism will produce the required antibodies. Similar immunities are, of course, produced by the attack of a disease, but the form of immunity and its duration will vary greatly. It may last only a few weeks after a common cold, or a lifetime after yellow fever. It may be partial, making recurrent attacks less harmful, or it may be a total immunity to all future infection from that source.

Childhood disease environment is the crucial factor in determining the immunities of a given adult population. Not only will the weakest members of society be removed, leaving a more resistant population of survivors; childhood and infancy are also a period of life when many infections are relatively benign. This is so of yellow fever—a disease of special importance to the tropical Atlantic—which is rarely fatal to children but frequently fatal to adults. In addition, children often experience infection in such a mild form they are not even aware of it, yet they acquire

[11] In spite of its age, August Hirsch, *Handbook of Geographical and Historical Pathology*, 3 Vols. (London, 1883), continues to be the most convenient reference work for historical epidemiology.

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an immunity that protects them in later life just as effectively as a severe attack would have done.[12] (Before the widespread use of poliomyelitis vaccines, tests showed that, for every recognized case, one hundred to one thousand persons were infected without being conscious of the fact and developed the characteristic immunity.) In general, then, the individual will be safest if he stays in the disease environment of his childhood; if he migrates, a fully effective set of immunities to match a new disease environment could not be expected to appear in his generation.

But immunities are also inherited. These are less important than the acquired immunities, but they raise special problems. First of all, medical science has so far discovered most of these inherited immunities only by statistical inference. We are, therefore, in an area of uncertainty. Second, the very fact that some immunities are heritable raises again the old and discarded racist hypothesis that Negroes could easily work in the tropical climates, simply because they were Negroes. It is, therefore, important to consider the present state of medical knowledge.

One kind of heritable immunity is universal: all children inherit antibodies transmitted by the mother to the fetus, and these protect the child during the first months of life, before its own ability to generate antibodies is fully developed. People of differing blood groups also appear to have differing degrees of immunity to some diseases. These are nothing like the perfect immunity given by an attack of yellow fever, but they are statistically detectable. Family histories also indicate statistical tendencies of susceptibility (or relative immunity) to particular diseases.

In addition, whole populations exposed to early and constant infection may undergo genetic change. Those individuals whose genetic inheritance predisposes them to serious illness from a particular disease may die in childhood, leaving no descendents. Other individuals, whose genetic tendency allows them to escape with a milder illness from the same cause, are likely to live and reproduce. As a result, the genetic make-up of each succeeding generation will shift slightly toward a tendency to mild infection rather than fatal infection. Genetic changes of this sort, however, do not appear to alter the *incidence* of infection; people will still

[12] Taylor and Knowleden, 162-64.

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be attacked by the disease in the same proportion, but more will experience a mild illness and fewer will die. Recent studies indicate that this type of genetic influence is important to the epidemiology of poliomyelitis, rheumatic fever, and tuberculosis.[13]

Malaria is another disease which can be influenced by heredity —and one of considerably greater importance in the tropical Atlantic. The important factor in this instance is an inherited hemoglobin characteristic known as the sickle-cell trait, from the characteristic shape of some blood cells under the microscope. This trait is a balanced polymorphism—the circumstance where a particular organic weakness, which would be expected to disappear through natural selection, recurs generation after generation because it also has balancing "good" qualities. Sickle-cell trait is the best known of all balanced polymorphisms, and it can serve to illustrate the process in general. It is found in certain malarial areas, and particularly in Africa. Where it is present, three types of people can be distinguished—those with normal hemoglobin, those with the inherited sickle-cell trait, and those with both the sickle-cell trait and the anemia that often accompanies it. Since sickle-cell anemia is usually fatal in childhood, many of this third group would be expected to die before reproducing; and known laws of genetics suggest that the sickle-cell trait itself should die out over a period of time. But the sickle-cell has another characteristic which permits it to survive. It provides some protection against *P. falciparum,* the dominant form of malaria in tropical Africa and an important cause of infant mortality. Thus, in that environment, malaria tends to cut off those without the sickle-cell trait, while anemia cuts off those with the trait plus anemia. The two causes of early death balance each other, and the trait persists.[14]

It is important to distinguish between these epidemiological characteristics, which are genetic or heritable, and race, which is also heritable. The crucial distinction is that genetic immunities are a variable independent of physical appearance. In addition, the immunities of great historical significance are relatively short-

[13] *Ibid.,* 159-60, 221-24; personal communication from Professor Alfred S. Evans.

[14] For balanced polymorphisms in general, see Dublin and Blumberg, *passim.*

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lived. A balanced polymorphism such as sickle-cell trait, for example, tends to disappear from a population once *falciparum* malaria is no longer present. In addition, it is not a "Negro" trait. Even though it is found in tropical Africa, where many Negroes live, it is also found among some white populations in the Mediterranean basin, and it is absent among certain Negro groups in West Africa. Finally, the scientific interest of the balanced polymorphism to genetic studies can obscure the possible historical role of the sickle-cell trait. Statistical studies of Puerto Rican deaths from malaria by race indicate that, between 1937 and 1944, 4.29 per cent of "white" deaths were from malaria, as against 4.19 per cent of "colored" deaths from the same cause. Whatever the differential immunities of the modern Puerto Ricans' ancestors in Africa and Europe, their twentieth-century differences are quantitatively insignificant.[15]

III

On the shores of the pre-Columbian Atlantic, different immunities to disease were caused by different disease environments. These disease environments fell into three separate groups, each created by different circumstances of physical environment and isolation. Europe and North Africa were in the belt of intense intercommunication stretching from the north Atlantic to China. Most diseases of the temperate Afro-Eurasian land mass were already endemic there, and the Europeans had a wide range of immunities to match. They lacked, however, the diseases and the immunities of the Old World tropics.

In tropical Africa, intercommunication was less intense, and disease environments would have been more diverse than those of Europe. Even though Africa had most of the full range of Old World temperate diseases—and its own assortment of tropical diseases, including *falciparum* malaria, yellow fever, sleeping sickness, yaws, and bilharzia—each African community was relatively isolated from its neighbors. It would, therefore, have been unlikely that any single African people would have an endemic assortment that covered the whole range of diseases and

[15] See W. Zelinsky, "The Historical Geography of the Negro Population of Latin America," *Journal of Negro History*, XXXIV (1949), 203.

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strains of disease available in the Sub-Saharan region. As a result, Africans had a wide range of immunities, but travel, even within Africa, would be likely to increase the death rate.

In the Americas, a third set of disease environments had been isolated from the Old World for a very long time. Little is known about them, but the lack of frequent communication between one region and another was even greater than in tropical Africa. Each region would, therefore, be expected to have little protection from the diseases of its neighbors, and virtually none against the strange diseases that were to come from across the Atlantic.

When, in the sixteenth century and later, the Africans and Europeans crossed the ocean, they infected the American Indians. Europeans encountered new diseases from the African tropics, and Africans met new strains of Afro-Eurasian diseases. The possible role of New World diseases is not clear in the medical records of the period. (Even the former belief in a New World origin for syphilis is now in serious doubt.)[16] The basic pattern is nevertheless clear enough: everyone in the Americas, or who came to the Americas, paid a price in increased death rates for his entry into this newly created disease environment.

Even though we lack statistical data for sixteenth-century American populations, the quantitative impact on the Indians is known in outline. Especially in the tropical lowlands, many groups died out as a people before they had an opportunity to build immunities against the joint assault of African and European disease. The mortality was most striking and drastic with the densely settled population of the Greater Antilles where the Spansh first landed—and to which they brought the first Africans. Indians on the South and North American mainlands fared somewhat better, and so did the Caribs of the Lesser Antilles, though they, too, almost disappeared. In this case, isolation seems to have protected them from simultaneous attack by the full range of Old World diseases. With the highland peoples of Middle America, Colombia, and the Andes, a cooler environment prevented the spread of malaria and yellow fever, both of African origin. Thus, though these peoples sustained steep declines of population over the sixteenth and part of the seventeenth century, they were

[16] The most extensive study of the medical records of the sixteenth century Americas is Ashburn; see 176-90, 238-44. See also, Maxcy-Rosenau, 274.

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able to maintain themselves and ultimately to recover, once new immunities had been acquired.[17]

Epidemiological factors were thus responsible for depopulating some of the best agricultural land in the tropical world. The most obvious reason for locating the productive centers of the South Atlantic System in the American tropics was simply that land was there for the taking, and it was far better land for intensive agriculture than any available in tropical Africa. But land without people has no economic value. Labor had to come from somewhere else, even though bringing people into this disease environment was bound to exact a price from the increased mortality of human migration.

It is impossible to know precisely the size of this mortality rate in the sixteenth or seventeenth centuries, but some data are available for the late eighteenth and early nineteenth centuries. It is justifiable to accept these as suggestive of earlier mortality rates among migrants to the American tropics. While it is possible, and even probable, that diseases had changed somewhat during three centuries of adjustment to new host populations, it is unlikely that early nineteenty-century mortality rates were higher than those of earlier centuries. Indeed, the growing intensity of communication in the Atlantic over these centuries suggests that they should have been somewhat lower. Improving medical care may also have lowered mortality rates over time; but even the use of chinchona against malaria was irregular, and death rates from the more important diseases could hardly have been altered before about the eighteen-forties.[18]

Statistics on military mortality are the most useful source for the mortality of migration, since they make it possible to isolate groups moving from one disease environment to another. In 1835, the British government became concerned about the death rates of British troops overseas and ordered a series of statistical

[17] Ashburn, *passim*; S. F. Cook and W. Borah, "The Rate of Population Change in Central Mexico, 1550-1570," *Hispanic American Historical Review*, XXXVII (1957), 463-70; W. Borah and S. F. Cook, *The Aboriginal Population of Mexico on the Eve of the Spanish Conquest* (Berkeley, 1963); J. H. Steward (ed.), *Handbook of the South American Indians*, 5 Vols. (Washington, 1946-49).

[18] Curtin, *Image of Africa*, 58-87, 177-97, 343-62.

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studies by Major Alexander Tulloch.[19] These reports, based on the medical transactions of the British Army (begun in 1816) were carried out with a scientific care that was only then beginning to be applied to statistics. Among other things, they show quantitative levels for the mortality of migration from Britain to either the West Indies or West Africa, and from West Africa to the West Indies. (See Tables 1-3.) Tulloch's data are also useful for comparative purposes, since he took the two decades 1817-36 as a common base period, and his samples normally contained significant bodies of men of common background and subject to a common epidemiological experience. They are by far the best data we now have, or are likely to discover.

To study the movement of British troops, Tulloch began with the expected civilian mortality rate among men of military age in the United Kingdom. Deaths from all causes among this group, calculated from actuarial tables and census data, were at the rate of 11.5 per thousand per annum. Once men from this group were recruited into the army, however, the death rate (based on 1830-36) rose to 15.3 per thousand—a predictable increase from the relatively crowded and unsanitary conditions of barracks life.[20] Movement overseas, however, produced far more substantial changes as the men entered new disease environments. (See Table 1.) Service in the Mediterranean, the temperate climate of South Africa, or North America produced a range of mortality that was not drastically different from that of the United Kingdom itself —between 12 and 20 per thousand per annum. (Two Mediterranean exceptions, Gibraltar and the Ionian Islands, were unusually high because of severe epidemics within the period of the survey.)

The tropical world, however, produced a strikingly different

[19] Great Britain, *Parliamentary Papers* (hereafter, *PP*), 1837-38, XL (*Accounts and Papers*, V) [138], "Statistical Account of Sickness, Mortality and Invaliding among Troops in the West Indies"; 1839, XVI (*Reports from Commissioners*, III) [166], "Statistical Report of the Sickness, Mortality and Invaliding among the Troops in the United Kingdom, Mediterranean and British North America"; 1840, XXX (*Accounts and Papers*, II) [228], "Statistical Report of the Sickness, Mortality and Invaliding among Troops in Western Africa, St. Helena, Cape of Good Hope and Mauritius"; 1842, XXVII (*Accounts and Papers*, II) [358], "Statistical Report of the Sickness, Mortality and Invaliding among Her Majesty's Troops Serving in Ceylon, the Tenasserim Provinces, and the Burmese Empire."

[20] *PP*, 1839 [166], 4-7.

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TABLE 1

Death rates per thousand mean strength per annum, among British military personnel recruited in the United Kingdom and serving overseas, from all causes, 1817-36, unless otherwise noted.

Eastern Frontier District, South Africa (1818-36)	12.0
Nova Scotia and New Brunswick	14.7
Cape District, South Africa (1818-36)	15.5
Malta	18.7
Canada (Quebec and Ontario)	20.0
Gibraltar (1818-36)	22.0
Ionian Island	28.3
Mauritius (1818-36)	30.5
Tenasserim (1827-36)	44.7
Ceylon	75.0
Windward and Leeward Command, West Indies	85.0
Jamaica Command (1803-17, War Office data)	127.0
Jamaica Command (1817-36)	130.0
Windward and Leeward Command (1803-16, War Office data)	138.0
Sierra Leone Command, deaths from disease only	483.0
Cape Coast Command, Gold Coast (1823-26)	668.3

Sources: *Parliamentary Papers*, 1837-38, XL [138], 5-7, 44-45; 1839, XVI [166], 4-7, 6a, 15b, 22a, 25b, 39a; 1840, XXX [228], 4b, 7, 19, 19b; 1842, XXVII [358], 5-7, 44-45.

result, and it can be separated into three broad regions of increasing mortality. Around the tropical Indian Ocean, mortality rates ranged from 30 to 75 per thousand. In the American tropics, the rate rose to a level between 85 and 138 per thousand. Finally, West Africa showed a disastrous mortality range from 483 to 668 per thousand mean strength per annum. This level is confirmed by the qualitative impressions of early visitors to the African coast, and by a variety of other statistical data for the early nineteenth century.[21] Even if the Europeans had not had the better agricultural possibilities of tropical America at their disposal, their reluctance to locate plantations in tropical Africa would be explained by these figures. Whatever the possibility of European residence in West Africa (once the migrants had acquired the proper immunities), the mortality rate of each entering group

[21] The early nineteenth-century mortality of newly arrived Europeans varied between about 350 and 800 per thousand. See Curtin, *Image of Africa*, 483-87, for a collection of sample data.

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was simply too high to allow more intensive occupation than that of a few thinly-manned posts for the slave trade.

One of the often neglected inefficiencies of the slave trade is, indeed, the loss of life in the African posts and aboard the slave ships. A study of the slave trade of Nantes between 1715 and 1774 shows, for example, that crew mortality from disease alone varied between about 150 and 250 per thousand per voyage, though it was usually higher than 200 per thousand. During the same period, Nantes slave traders lost only 145 slaves per thousand from disease in transit.[22] Another and smaller sample of 116 slave ships sailing from English ports in the seventeen-eighties shows a crew death-rate from disease of 210 per thousand per voyage, and a further loss of 263 per thousand from desertion or discharge overseas.[23] At least in the eighteenth century, the maritime slave trade took proportionately more lives of crewmen than of slaves, in spite of the notoriously bad conditions of the "middle passage."

African migrants to the New World by way of the slave trade also experienced increased mortality rates after their arrival. Tulloch's sample of African soldiers serving in the West Indies was made up of men recruited mainly from among the slaves recaptured at sea by the British Navy as part of its anti-slavery blockade. They were not, therefore, from any particular region, but from the whole of West Africa with a special concentration from western Nigeria and Dahomey and only a few from either the Congo basin or East Africa.[24] This was an excellent sample of the kind of men who were sent to America as slaves—they *were* part of the slave trade before they joined the army.

When these men served as soldiers even in Sierra Leone, they had death rates markedly higher than other non-European troops serving in their respective countries of origin. (See Table 2.) Mortality among African troops in the Sierra Leone Command between 1819 and 1836 was 31.1 per thousand per annum from dis-

[22] Gaston Martin, *L'ère des négriers (1714-1774)* (Paris, 1931), 43, 115.

[23] Thomas Clarkson to Lords of Trade and Plantations, July 27, 1788, in Great Britain, Privy Council, *Report of the Lords of the Committee of Council for . . . Trade and Foreign Plantations . . . Concerning the Present State of Trade to Africa, and Particularly the Trade in Slaves . . .* (London, 1789).

[24] For a statistical study of the origins of Sierra Leone recaptives, see P. D. Curtin and Jan Vansina, "Sources of the Nineteenth Century Atlantic Slave Trade," *Journal of African History*, V (1964), 185-208.

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TABLE 2

Mortality per thousand mean strength per annum among non-European British troops serving in their region or country of origin.

Maltese Fencible Corps	9
Hottentot Cape Corps	11
Bengal Native Troops	11
Madras Native Troops	13
Royal African Corps, West Africa	32

Source: *PP*, 1840, XXX [228], 15-16.

ease—double the death rate of British troops serving in England.[25] Tulloch was puzzled by this high figure, but a probable explanation is possible. These men were not, in fact, serving in their country of origin. They had already moved from one African disease environment to another. Even without hard data for a comparable sample of men who were able to stay home, a reasonable estimate would put their mortality from disease alone within the range of 15 to 20 per thousand per annum. The soldiers' mortality rate thus increased by more than 50 per cent, simply as a result of movement *within* tropical Africa—an indication of the price exacted by the diversity of African disease environments.[26]

When men recruited in the same way were moved from Africa to the West Indies, a second increase in mortality would be expected, and it occurred. (See Table 3.) The death rate rose from about 30 per thousand to 40 per thousand. The price of movement to America was thus a further 30 per cent increase in mortality, and the death rate of these new arrivals in the American tropics was markedly higher than that of 25 per thousand per annum, calculated for the Jamaican slave population over three years of age during the period 1803-17.[27]

[25] *PP*, 1840, XXX [228], 15-16.

[26] This level of increased mortality following movement within Africa is relatively low compared with the experience of some drafts of forced labor at railroad building and other projects during the colonial period. It is estimated, for example, that 10-15 per cent of all the workers died in the construction of the Pointe Noire-Brazzaville line in Moyen Congo, and annual mortality rates ran as high as 452 per thousand in 1927 and 172 per thousand in 1929. V. Thompson and R. Adloff, *The Emerging States of French Equatorial Africa* (Stanford, 1960), 142; Lord Hailey, *An African Survey* (London, 1938), 1590.

[27] *PP*, 1837-38, XL [138], 49. See, also, G. W. Roberts, *The Population of Jamaica* (New Haven, 1957), 171-72.

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TABLE 3

Death rates from disease, per thousand mean strength per annum among British troops recruited in Africa and serving in the West Indies.

Jamaica Command, 1803-17	49
Bahama Islands, 1817-36	41
Windward and Leeward Command, 1817-36*	40
Jamaica Command, 1817-36	30
Slave population of Jamaica, 3 years of age and over, 1803-17	25

Source: *PP*, 1827-28, XL [138], 11, 50, 73.

* The statistics for this command can be taken as most trustworthy. Not only is the mortality figure an approximate median; the sample force had an average mean strength of 2,047 over these decades, while the Bahama Islands had a smaller sample of only 355 men and the Jamaica command had only a force of labor troops with a mean strength of 286 men.

High as this rate was, it was lower than that of European troops serving in the same command. Tulloch's sample of European troops in the Windward and Leeward command can be set aside because the usual yellow fever epidemics missed these islands during the survey period. (Table 1.) The other three samples closely bracket their mean at 131 per thousand per annum. The rate of 40 per thousand for African troops in the Windward and Leeward Command is not only the mean of the four samples; that command also had the largest and probably the most representative sample. (In this case, the non-occurrence of yellow fever would not be significant, since fever was not an important cause of death among the African troops.) One finding of Tulloch's survey is that these African migrants to the New World outlived a comparable group of European migrants by a ratio of 3.2 to one. This difference is in line with the expectations of epidemiological theory. Africans, even with a combined background of Old World temperate diseases and Old World tropical diseases, would be expected to die at somewhat increased rates on migration to the New World; but Europeans who lacked the relative immunity to malaria and yellow fever, would be expected to die at still higher rates.

Other data from the eighteenth century confirm this pattern, though they cannot be taken to be as reliable as Tulloch's survey. A sample of white and black troops serving Great Britain in the

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West Indies between 1796 and 1807—hence in wartime conditions—showed an annual average mortality of 244 per thousand effectives per annum among the Europeans and an annual average of only 59.2 per thousand among those of African descent. These statistics are weak, partly because it is only probable—not certain—that these African troops were recruited by purchase in Africa, rather than by purchase from among the West Indian slaves. Nevertheless, the ratio of differential mortality was 4.1 to one in favor of the Africans. Another survey of French troops serving on Martinique and Guadeloupe between 1802 and 1807 shows an annual average death rate of 302 per thousand.[28] If these earlier surveys are at all reliable, Tulloch's rate of 130 per thousand may well lie at the low side of the range of death rates among European immigrants.

IV

The planters' belief in the superiority of African labor, therefore, had a basis in fact. They merely mistook the outward and visible sign of color for the independent variable of disease envionment. This error is curiously like their other error of writing about the horrors of a tropical "climate." As every visitor to the West Indies will recognize, the climate, measured by any standard of human comfort, is more pleasant in summer than that of the eastern or central United States, and the winter climate is one of the greatest economic assets of the Carribbean. But the planters saw only that newly arrived Europeans died, and they attached this fact to the most obvious difference from the environment they had known in Europe—the tropical climate.

From an economic point of view, the price paid for a slave or an indentured white worker was a claim to future labor. Assuming that the cost of maintaining each was about equal, the slave was preferable at anything up to three times the price of the European. (The fact that indentures were limited in time, while slavery was not, would make little difference. A death rate of 130 per thousand per annum would practically use up a draft of seven-year indentures before their time had expired.) On the demand side, at

[28] F. Guerra, "The Influence of Disease on Race, Logistics and Colonization in the Antilles," *Journal of Tropical Medicine and Hygiene*, LXIX (1966), 23-35.

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TABLE 4

Principal Causes of Death Among British Troops Recruited In Britain

(in deaths per thousand mean strength per annum)

Disease	(1) *Among Dragoons Serving in Britain* 1830-36	(2) *White Troops—Windward and Leeward Command* 1817-36	(3) *White Troops—Jamaica Command* 1817-36
Fevers	1.4	36.9	101.9
Diseases of the Lung	7.7	10.4	7.5
Epidemic Cholera	1.2	—	—
Violent Deaths	1.3	—	—
Diseases of the Liver	—	1.8	1.0
Intestinal Diseases	—	20.7	5.1
Diseases of the Brain	—	3.7	1.2
Dropsies	—	2.1	—
Other (with mortality rates less than 1 per 1,000 per annum)	4.2	2.9	2.0
Total	15.8	78.5	121.3

Sources: *PP*, 1837-38, XL [138], 7, 44; 1839, XVI [166], 4.

least, here was sufficient reason for the slave trade from Africa as the preferred alternative to labor recruitment in Europe.

Tulloch was also concerned with the cause of death, and this aspect of his survey throws further light on the epidemiology of migration. Statistics on the cause of death are obviously weaker than those for gross mortality. (Even today, it is easier to establish the fact of death than to know its cause.) Nineteenth-century disease classifications and methods of diagnoses were far from accurate by modern standards. "Fevers" as a category covered yellow fever, malaria, typhoid, and a great deal more—not merely because they were grouped together for purposes of classification, but also because medical men could not always make valid distinctions between them. "Eruptive fevers" in the same way covered smallpox, syphilis, yaws, typhus, and measles, at the very least. "Diseases of the lungs" can be taken to mean principally pneumonia and tuberculosis, but it might include influenza as well. Intestinal diseases were clearly dysentery, but without further distinction.

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TABLE 5

Principal Cause of Death Among British Troops Recruited in Africa

(in deaths per thousand mean strength per annum)

Disease	Sierra Leone Command (1819-36)	Windward and Leeward Command (West Indies) (1817-36)	Difference Between Cols. 1 and 2
Fevers	2.4	4.6	+2.2
Eruptive Fevers	6.9	2.5	−4.4
Diseases of the Lungs	6.3	16.5	+10.2
Diseases of the Liver	1.9	.9	−1.0
Intestinal Diseases	5.3	7.4	+2.1
Diseases of the Brain	1.6	2.2	+ .6
Wounds	1.4	—	−1.4
Dropsies	—	2.1	+2.1
Other	6.2	3.8	
Total	32.0	40.0	

Sources: *PP*, 1837-38, XL [138], 11; 1840, XXX [228], 16.

Even so, Tulloch's data made it clear that Europeans died in the West Indies principally from "fevers." (See Tables 4 and 5.) These fevers were mainly yellow fever and malaria, both of them Old World diseases brought by earlier African immigants.[29] Diagnostic distinctions between the two major tropical fevers were notoriously bad at the time, but a rough division is possible. Yellow fever occurred only in periodic epidemics. In Jamaica, for example, where "fevers" accounted for more than 100 deaths per thousand per annum over the whole period of the survey, yellow fever epidemics occurred in 1819, 1822, 1825, and 1827. "Fever" mortality thus varied from only 67 per thousand in the best year to 259 per thousand in the worst. If the figure 67 per thousand represents a death rate mainly from malaria, then about 60 per cent of the fever deaths were from this cause, and 40 per cent from yellow fever.

The pattern in the Windward and Leeward Command was somewhat different. Barbados, where many of the troops were stationed, was unusually free of malaria. In addition, the Lesser Antilles passed through a period without serious yellow fever

[29] For the Afro-Eurasian origin of these diseases, see Ashburn, 102-40.

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epidemics during the decades of the survey,[30] an indication that the fever mortality—36.9 per thousand per annum—was mainly malaria. Compared to Jamaica, white troops in the Lesser Antilles died at a higher rate from dysentery, but this difference is probably accountable to differences in water supply.

Among African troops, "diseases of the lungs" accounted for most of the increased deaths, though pneumonia and tuberculosis, the principal killers, were also found in the African homeland.[31] Part of the increased mortality was undoubtedly the result of crowded conditions in barracks or slave quarters, and even more may have come from lack of immunity to certain strains of disease not present in Africa. But it may be that genetic susceptibility played some role. Early epidemiologists believed that Negroes were particularly susceptible to lung disease if they moved from Africa to either Europe or North America.[32] Even today, Negro Americans are slightly more susceptible than white Americans to certain forms of tubercular infection. While the differences today are far less than those suggested by Tulloch's figures, it is likely that African environmental conditions over many generations have produced a genetic susceptibility that is still detectable.

The experience of Tulloch's African sample with "fevers" illustrates the point that immunities from one disease environment are not necessarily valid against all possible strains and varieties of a particular disease encountered in another. The West African "fever" environment was probably the most dangerous in the world to outsiders. Fever death rates of European soldiers were 382.6 per thousand per annum in the Cape Coast Command

[30] Yellow fever epidemics occurred in Grenada, St. Kitts, Barbados, and Antigua in 1816, but these were largely over by February of 1817, the first year of Tulloch's sample. The disease appeared in St. Vincent in 1822, but otherwise only the French islands of Martinique and Guadeloupe among the Lesser Antilles were attacked during the remainder of the period; though a very serious epidemic affecting all the Lesser Antilles reappeared in 1852-53 (Hirsch, I, 322-25).

[31] The death rate from "diseases of the lungs" among African troops in Jamaica, however, was only 7.5 per thousand per annum, a figure reasonably in line with that of African troops in Sierra Leone itself. (*PP*, 1837-38, XL [138], 50.) The Windward and Leeward Command's figure has been accepted as more reliable, however, largely on account of the larger size of the sample.

[32] Hirsch, III, 151-52, 225-28.

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and 410.2 per thousand in Sierra Leone,[33] while African troops in Sierra Leone died from fevers at the rate of only 2.5 per thousand per annum. Once they migrated to America, however, Africans of the same origin sustained nearly twice that rate in the Lesser Antilles, and a rate of 8.2 per thousand per annum in Jamaica.[34] The probable explanation is that the West African pattern of apparent immunity to *falciparum* malaria was not effective against other varieties of malaria, nor against other strains of *P. falciparum.*

Once in America, both Europeans and Africans should have begun to acquire new immunities from the new disease environment. The medical mythology of Europeans involved in the South Atlantic System on either shore of the ocean always included a belief in the "seasoning sickness"—the first attack of tropical disease, which left survivors with the expectation of better health. The planters also thought of slaves as passing through the same seasoning process, and seasoned slaves commanded higher prices than newcomers. Military planning was also occasionally based on the concept of seasoning; European troops were given periods of residence in the West Indies before being sent into combat.

Tulloch was understandably concerned with the quantitative aspects of seasoning. His data were weak, however, since his samples had only two dimensions—place of recruitment and annual mean strength. Some of the soldiers in a particular unit might be twenty-year veterans of the tropics, while others were fresh from England. He therefore took pains to trace the medical history of a series of drafts of European troops sent to Jamaica, and he found that the death rates rose during each successive year of service, rather than falling as the common belief in seasoning would suggest. One sample moved from 77 deaths per thousand per annum in the first year, to 87 in the second and third years, and then to 93 per thousand from the fourth year onward. The same tendency was also found in other data from the Windward and Leeward Command.[35] If the samples were

[33] *PP*, 1840, XXX [228], 7, 19.
[34] *PP*, 1837-38, XL [138], 50.
[35] *PP*, 1837-38, XL [138], 89, 92.

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representative, seasoning was a longer process than many believed it to be.

In Africa, however, he discovered another seasoning pattern. By chance, the non-commissioned officers serving with African troops were easily divisible into two groups. In the years 1819-24, the British non-coms were freshly arrived from Europe, and they died at a predictable West African rate of 397 per thousand per annum. After 1830, the main body of British troops was withdrawn, leaving behind a group of non-commissioned officers who were already veterans of the African environment. Between 1830 and 1836, these men died at the rate of 72 per thousand per annum, only 18 per cent of the initial rate.[36] The survivors had clearly been seasoned, though their death rate was still more than double that of the African troops under their command. Tulloch's findings therefore suggest a rather slow seasoning process in the American tropics, as against a rapid and costly one in tropical Africa.

The difference can be partly explained by differing patterns of malaria on the two sides of the ocean. West Africa is a hyperendemic area for *falciparum* malaria; new arrivals could hardly escape infection for as long as a year. Once permanently infested with the parasite, the survivors would experience few clinical symptoms—but only if they were regularly reinfected, as they would have been in West Africa. In addition, Sierra Leone was struck by an especially serious epidemic of yellow fever in 1829. Thus the veteran non-coms in Sierra Leone after 1830 can be counted as having survived the two most dangerous diseases of that region. In the West Indies, on the other hand, *Anopheles gambiae*, the most deadly of the African malarial vectors, was missing. Many American forms of malarial parasite were less deadly than the virtually universal *P. falciparum* of the African coast. A European arriving in the West Indies would almost certainly have malaria sooner or later; but its onset was not likely to be so rapid as in West Africa, nor was death so likely. In addition, yellow fever epidemics were less frequent in the West Indies.[37] An individual island might escape for as long as thirty years at a time, just as the Lesser Antilles did during the survey period.

[36] *PP*, 1840, XXX [228], 7.
[37] Hirsch, I, 328-29, 335.

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V

Whatever the seasoning process among the immigrants themselves, a new generation born and raised in the American tropics should have been relatively immune to the American disease environment. One would, therefore, expect the early slave trade and a trickle of European migrants to produce a tropical American population capable of growth by natural increase—if not immediately, at least within a century or so after the trade began. If this had happened, the high mortality of migration would have been limited to the sixteenth and part of the seventeenth century. In fact, this did not happen. The most striking demographic peculiarity of the South Atlantic System was its failure to produce a self-sustaining slave population in tropical America.[38] As a result, the slave trade was necessary not merely to increase the American production of tropical staples, but even to maintain the population level. The final result was an increasing flow of slaves from Africa to America, far into the nineteenth century.

An overall figure for the excess of deaths over births among American slave populations cannot be established, but the gener-

[38] Population data concerning the immigration and emigration of white populations in the West Indies and Brazil are extremely scarce, but it appears more than likely that the white populations of the South Atlantic plantation colonies also failed to become self-sustaining during the period of the slave trade. The sex ratios of white populations in the French and English Caribbean colonies were very heavily overbalanced with men. Estimates for the French Caribbean about 1700 put the sex ratio at three thousand to four thousand white men per thousand women. (Gaston Martin, *Histoire de l' esclavage dans les colonies françaises* [Paris, 1948], 26.) This pattern developed from the fact that most white immigrants were either indented servants or else part of the group of merchants, officials, or planters who came to the New World as young men hoping to make their fortunes and return home. Given the fact of an initial mortality of migration at more than ten times the European mortality rate, as Tulloch's data show, the pattern of short-term immigration must have exacted a very high price indeed. E. Revert states bluntly for Martinique that the white population could only be maintained by continuous immigration, at least up to 1848. (*Géographie de la Martinique* [Fort-de-France, 1947], 19.) Yet the European populations of these West Indian colonies grew throughout the eighteenth century. In other territories, such as Cuba and Brazil, however, a self-sustaining and even a naturally growing white population may well have emerged at an earlier date. In Cuba, for example, the white sex ratio in 1827 was 1,185 males per thousand females, as compared with a white Jamaican sex ratio of 1,432 as late as 1844. (R. Guerra y Sanchez *et al.* [eds.], *Historia de la nación cubana*, 10 Vols. [Havana, 1952], III, 348; Roberts, 73.)

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al picture for tropical America is clear. Eighteenth-century commentators on the slave trade gave estimates of net natural decrease that varied between about 20 and 50 per thousand per annum for the Caribbean.[39] Similar estimates put the population loss among Brazilian slaves at 50 per thousand per annum for the period 1772-1873 and at 30 to 40 per thousand for the late period of slavery, 1872-85.[40] More recent calculations show a natural decrease in Jamaica from nearly 40 per thousand per annum over the period 1703-34, down to a little less than 20 per thousand per annum in the years 1734-39.[41] Barbados' slave population experienced a natural decrease of 43 per thousand per annum between 1712 and 1762.[42] The fact of natural decrease, if not a solidly established rate, is confirmed for other islands in the Caribbean as well.[43]

One cause, perhaps the chief cause, of this excess of deaths over births is to be found on the supply side of the Atlantic slave trade. Slaves were cheap in Africa, whether measured in terms of their marginal productivity on the plantation, or by the replacement cost of breeding and raising a slave to working age in the tropical Americas. Planters therefore preferred to buy more men than women, and they rarely followed a policy of encour-

[39] For samples of eighteenth-century estimates, see L. Peytraud, *L'esclavage aux Antilles françaises avant 1789* (Paris, 1897).

[40] A. Gomes, "Achegas para a história do tráfico africano no Brasil—Aspectos numericos," *IV Congresso de História Nacional, 21-28 Abril de 1949* (Rio de Janeiro, 1950), 65-66 (volume 5 of *Anais* of the *Instituto Histórico e Geográfico Brasileiro*).

[41] Roberts, 36-37.

[42] D. Lowenthal, "The Population of Barbados," *Social and Economic Studies*, VI (1957), 452.

[43] See Pitman, *passim*; Martin, *Histoire de l'esclavage dans les colonies françaises*, 125; E. V. Goveia, *Slave Society in the British Leeward Islands at the End of the Eighteenth Century* (New Haven, 1965), 234; L. M. Díaz Soler, *Historia de la esclavitud en Puerto Rico, 1493-1890* (Madrid, 1953), 117; Julio J. Brusone, in Guerra y Sanchez *et al.*, IV, 188. The United States, however, was a striking exception to this pattern of natural decrease among the slave population. R. R. Kuczynski pointed out the remarkable contrast between the North American colonies and Jamaica more than thirty years ago, in *Population Movements* (London, 1936), 15-17. Net slave imports into the territory of the later United States were probably no more than 500,000 in all, but Negro population at the time of emancipation was more than 4.5 millions. In Jamaica, by contrast, net imports during the whole period of the slave trade have been estimated at more than 700,000, while the Negro population at the time of emancipation was only 350,000.

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aging a high birth rate in order to produce a self-perpetuating slave gang. The preference for male workers in turn reflected on supply, and the slave trade carried a remarkably consistent proportion of about two men for every woman. Other things being equal, this in itself would be expected to produce a birth rate per capita 33 per cent lower than that of a balanced population. In addition, birth rates were low even in proportion to female slaves—a reflection of the planters' common decision not to encourage breeding. The evidence from Jamaica indicates that female slaves themselves avoided having children in the conditions of slavery, and they knew about abortives and techniques for contraception in Africa.[44]

Since newly arrived slaves had very high mortality rates for people in the prime of life, we can assume that morbidity rates were correspondingly high. This had a large (if unmeasurable) influence on per-capita birth rates among migrants. One result was a curious paradox in the relation of the slave trade to demographic patterns in the Americas. Where economic growth was most rapid, and slave imports were greatest, population decrease from an excess of deaths over births tended to be most severe. Since the African-born part of the population was the portion with the marked sexual imbalance, the higher morbidity rates, and the higher mortality rates, it was they who pulled down the growth rate of the population as a whole. On the other hand, colonies without notable economic growth over a few decades began to import fewer slaves. They could then begin to achieve more favorable rates of population growth.

The comparative position of the various British West Indian colonies after the end of the British slave trade in 1808 is an interesting illustration of this demographic peculiarity. Barbados, which had virtually ceased importing slaves before the official abolition of the trade, achieved a self-sustaining population shortly after 1808.[45] Jamaica, however, had substantial slave imports up to the end of the trade. As a result, its slave popula-

[44] For discussions of planters' policies on slave breeding or replacement from Africa, see B. Edwards, *The History, Civil and Commercial of the British Colonies in the West Indies*, 2 Vols. (London, 1794), II, 147-54; R. Pares, *West India Fortune* (London, 1950), 123-24; Roberts, 219-47; G. Debien, *Plantations et esclaves à Saint-Domingue* (Dakar, 1962), 44-51.

[45] Lowenthal, 453;

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tion still had an excess of deaths over births at 5 per thousand per annum in the period 1817-29. British Guiana, on the other hand, passed through its period of rapid development just before the ending of the slave trade. As a result, it was left in 1817 with a slave population 65 per cent African-born and a rate of natural decrease at 11 per thousand between 1817 and 1829. As the African-born died in each territory, the population decline stopped, as it did in Jamaica by the early eighteen-forties.[46] Meanwhile, Cuba and Brazil had the most rapidly developing planting economies in tropical America, with continued (if illegal) slave imports to the mid-century and beyond. As a result, the pattern of a naturally decreasing slave population persisted there into the second half of the nineteenth century.[47]

Epidemiological factors by themselves cannot explain the origins and development of the South Atlantic System, but they clearly impinged on the system in extremely important ways. They influenced economic decisions and economic patterns, the demography of tropical America, and the planters' preference for Africans over other workers. Nothing that has been said here, however, should be extended to slavery or the slave trade outside the core area of tropical plantations. North America was certainly different, as was highland South America. The role of epidemiological factors in the core area nevertheless suggests that North American slavery might well be re-examined in the light of comparative studies from tropical America. In the same sense, American Indian history would profit from a broad and comparative look at the history of similarly isolated peoples on other continents. In Africa itself, the relative isolation of many human communities suggests that epidemiological factors *must* have been of great importance throughout the history of the continent —and especially at the moment when isolation was broken in the early colonial period. The role of epidemiological factors in the history of the slave trade is, therefore, only one instance among many where the role of disease in history has not yet been fully explored.

[46] Roberts, 39-41.

[47] Julio J. Brusone, in Guerra y Sanchez *et al.*, IV, 167-81; Gomes, 65-66.

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From Resentment to Confrontation: The Police, the Negroes, and the Outbreak of the Nineteen-Sixties Riots

ROBERT M. FOGELSON
Columbia University

With a few exceptions—among them the Chicago riots of 1965, which erupted after a Negro woman was accidentally killed by a fire engine, and the Dayton riots of 1966, which broke out after a Negro man was deliberately gunned down from a passing car—the nineteen-sixties riots were all precipitated by police actions. Some of them were extremely grave. In New York (1964) an off-duty policeman killed a Negro youth; in Atlanta (1966) a patrolman seriously wounded a Negro suspected of auto theft; in Tampa (1967) a policeman fatally shot a Negro suspected of burglary. Some of them were misguided and unjustified, too. Only in New York was the victim armed, and with a knife, not a gun; in the other cities the Negroes were killed in flight; and, in any event, nowhere were the crimes committed by the suspects or the dangers faced by the policemen serious enough to warrant the ultimate punishment.[1] Be that as it may, if most of the nineteen-sixties riots had been precipitated by extraordinary and unjustified police actions it would not be hard to account for the Negroes' reactions. Nor would it be difficult to devise recommendations to prevent—or, at any rate, to inhibit—such incidents in the future.

[1] U.S. Commission on Civil Rights, "Location of Riots Involving Minority Groups Members Chronologically from January 11, 1964 thru June, 1966 as reported by the New York *Times*"; New York *Times*, Sept. 2, 7, 1966, June 12, 1967; Federal Bureau of Investigation, "Report on the 1964 Riots" (Sept. 18, 1964), 2.

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This was not so, however. Most of the nineteen-sixties riots were triggered by commonplace, reasonable, and trivial police actions—if anything, a more perplexing and less reassuring pattern. The Rochester (1964), Philadelphia (1964), and Los Angeles (1965) riots are cases in point. So are the Jersey City riots of 1964, which erupted after the police attempted to break up a fight between two Negro women; the Omaha riots of 1966, which broke out after the police tried to stop a fireworks display on the July Fourth weekend; and the Chicago riots of 1966, which started after the police turned off a few fire hydrants on a hot summer evening.[2] Moreover, most of these actions were taken in response to complaints by Negroes. They may or may not have been wise, but they were certainly not extraordinary; the police break up fights, stop fireworks displays, and turn off fire hydrants all the time. Nor, the press reports reveal, did the police use excessive force, show insufficient respect, or otherwise behave improperly in most of these incidents.

Commonplace, reasonable, or not, these police actions evoked an extraordinary response. Negroes converged on the site, shouted abuse, hurled bricks, and otherwise assaulted patrolmen, stoned and overturned police cars, and, when the opportunity arose, attempted to prevent the arrests and, failing that, to free the prisoners. In the meantime wild rumors circulated through the ghettos—in southcentral Los Angeles the police arrested a woman barber dressed in a smock, and word went out that they had attacked a pregnant woman; the rumors infuriated many Negroes and attracted some to the scene.[3] In a few cases the police withdrew for a while, hoping to restrain the rioters by removing their targets; but in most cases they held their ground, arrested the most aggressive rioters, and, when the crowds grew larger and

[2] U.S. Commission on Civil Rights, "Location of Riots"; FBI *Report*, 2, 5-7; Governor's Commission on the Los Angeles Riots, *Violence in the City—an end or a Beginning* (Los Angeles, 1965), 10-11; New York *Times*, July 4, 13, 1966. For the Newark and Detroit riots, which followed a similar pattern, see *ibid.*, July 13, 24, 1967.

[3] Jerry Cohen and William S. Murphy, *Burn, Baby, Burn! The Los Angeles Race Riot: August, 1965* (New York, 1966), 50-59. For other descriptions of the Negroes' response, see Fred C. Shapiro and James W. Sullivan, *Race Riot: New York 1964* (New York, 1964), 43-62; Lenora E. Berson, *Case Study of a Riot: The Philadelphia Story* (New York, 1966), 16-17; Tom Hayden, "The Occupation of Newark," *The New York Review of Books*, Aug. 24, 1967, pp. 14-16.

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more menacing, summoned reinforcements. Sometimes, as in Indianapolis, Los Angeles, Kansas City, and Philadelphia, among other cities in 1966, the reinforcements managed to restore order; more often, however, they succeeded only in inciting the Negroes involved and in arousing many others.[4] In the end a point was reached at which the police perceived the confrontation as a test of their authority and the Negroes perceived it as a challenge to their pride and loyalty; as a result, the triggering incidents were transformed into major disorders.

Moreover, once full-scale rioting was underway the Negroes directed a great deal of violence at the police. During the day they glared at them with loathing and contempt; and at night they threw bricks and stones and, on occasion, fired rifles at them. The Negroes' response to police action should not be exaggerated, however. Most Negroes did not have the inclination, not to mention the arms, to murder or seriously harm the police; otherwise police casualties would have been much higher—though this is scant consolation for those dead and injured policemen.[5] But neither should the Negroes' response to police actions be dismissed on the grounds that during the rioting the policemen often exceeded their authority and the Negroes sometimes battled the police to defend their families and friends.[6] For if this point is emphasized, it obscures one of the salient lessons of the nineteen-sixties riots: that from the beginning to the end of the rioting the police were among the principal targets. Indeed, it is impossible to conceive of these riots erupting with the same frequency or assuming the

[4] Assistant U.S. Attorneys' Reports, Report to Fred M. Vinson Jr., assistant attorney general, and Ramsey Clark, deputy attorney general, on Indianapolis, Aug. 5, 1966; Los Angeles, Aug. 5, 1966; Kansas City, Aug. 5, 1966; and Philadelphia, Aug. 5, 1966. These reports were made available to me by the President's Commission on Law Enforcement and Administration of Justice (hereafter, President's Crime Commission).

[5] Even in Newark and Detroit in 1967, where the snipers were extremely active, nearly all the casualties were Negro. The reason is not clear, but it may well be that the snipers, as one of them allegedly told a *Life* magazine reporter, wanted to distract the police—and thereby provide cover for the looters—rather than to kill them. (See *Life*, July 28, 1967, p. 28.)

[6] Two case studies of widespread and flagrant misuse of public authority—one involving the Los Angeles Police Department and the other the New Jersey National Guard—are presented in American Civil Liberties Union of Southern California, "Police Malpractice and the Watts Riots" (ca. 1966), 1-31, and Hayden, 19-23.

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same form were it not for the Negroes' intense resentment of the police.

Many Negro leaders have attempted to explain this resentment to the U.S. Commission on Civil Rights, the Governor's Commission on the Los Angeles Riots, and other official investigative bodies. They have made three main points. First, that most Negroes have long been, and indeed still are, subjected to brutality, harassment, and other forms of police misconduct in the North as well as in the South. Second, that most Negroes are convinced that the police are corrupt and, even worse, that they enforce the law less rigorously in Negro ghettos than in white communities. And third, that most Negroes are persuaded that they have no effective way to protest, much less to remedy, brutality, harassment, and inadequate law enforcement. It is because, as Los Angeles Assemblyman Mervyn M. Dymally told the McCone Commission, black people have "generally expected the worst from the police and generally received it" that so many Negroes intensely resent the police.[7] To allay this resentment, Dymally and other Negro leaders have forcefully urged that brutality and harassment be eliminated, law enforcement tightened, and police complaint procedures revised.

Police administrators have flatly denied these charges, and in some cases even countercharge that the Negroes' criticisms are manifestations of dwindling respect for law and order and attempts to undermine the effectiveness of law enforcement. In police departments, as in other large organizations, there are occasional lapses by misguided individuals who are promptly reprimanded and, if need be, punished—that and nothing more. The Negroes' resentment, the police have explained, is due to their mistreatment in the South, their maladjustment in the North, and their misunderstanding of the police, and not to the misconduct of patrolmen. During the nineteen-sixties riots the Negroes vented

[7] Mervyn M. Dymally, "Statement prepared for the Governor's Commission on the Los Angeles Riots" (Oct. 11, 1965), 2. Among the many expressions of Negro grievances, two of the most articulate are by Clarence H. Holmes, a former president of the Cleveland branch of the NAACP (in U.S. Commission on Civil Rights, *Hearings Held in Cleveland, Ohio, April 1-7, 1966* [Washington, 1966], 513-19) and Willis Ward, Chief of the Civil Division of the U.S. Attorney's Office in Detroit (in U.S. Commission on Civil Rights, *Hearings Held in Detroit, Michigan, December 14-15, 1960* [Washington, 1961], 379-88).

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their violence at patrolmen not as patrolmen but as representatives of white society; the police are the recipients rather than the source of the Negroes' resentment.[8] Past practices aside, police administrators have assured the Civil Rights Commission and the McCone Commission, the Negroes have no legitimate grievances against the police, and thus no major departmental reforms are necessary.

Much can be said in support of this position. Police misconduct is less common and law enforcement stricter today than a generation ago.[9] Police administrators are less subject to political interference, ordinary patrolmen are better educated and better trained, and police departments as a whole are more aware of their limitations and their responsibilities; the police are, in a word, more professional. The great majority of American policemen cannot be blamed for a small, if notorious, number of racist Southern sheriffs;[10] nor can they be held accountable for the insufficient opportunity, inferior education, and inadequate housing which, it is widely assumed, underlie the high rate of crime in the Negro ghettos. For most Negroes, nevertheless, the patrolmen are the principal (and, after the merchants lock up for the evening, the only) representatives of white society in the ghettos. So by virtue of their presence alone, the police bear a heavy brunt of the Negroes' hostility to white America.

There is even more to be said in opposition to this position, however. First of all, most Negroes, and not only lower-class Negroes, do not believe the disclaimers of police authorities; and their beliefs, whether correct or not, are crucial because, like most

[8] For three vigorous statements of this position, see Governor's Commission on the Los Angeles Riots (McCone Commission), *Archives* (hereafter, *MCA*), II, 3-36; U.S. Commission on Civil Rights, *Cleveland Hearings*, 585-602; U.S. Commission on Civil Rights, *Hearings [Held in] Newark, New Jersey, September 11-12, 1962*, 473-83.

[9] David G. Monroe and Earle W. Garrett, *Police Conditions in the United States*, in National Commission on Law Observance and Enforcement, *Report on Police* (Washington, 1931), 13-140, and President's Crime Commission, *Task Force Report: The Police* (Washington, 1967), 13-215.

[10] Among the recent investigations of criminal justice in the South are U.S. Commission on Civil Rights, *Hearings Held in Memphis, Tennessee, June 25-26, 1962* (Washington, 1962), 83-121; U.S. Commission on Civil Rights, *Hearings Held in Jackson, Mississippi, February 16-20, 1965* (Washington, 1965), II, 1-415; U.S. Commission on Civil Rights, *Law Enforcement: A Report on Equal Protection in the South* (Washington, 1965), *passim*.

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people, they act on what they believe to be true. Even more important, there is a great deal of evidence indicating that in spite of improved policing many Negroes are subjected to brutality and harassment, few ghettos are adequately protected, and few complaints are impartially processed. Moreover, the Negroes' resentment of the police is not a rejection of policing. Not even Negroes highly critical of the police, a recent survey taken in San Diego reveals, thought that policing should be abandoned; for all their criticism of police practices, none of them questioned the legitimacy of the police function.[11] Nor is the Negroes' resentment of the police a repudiation of public authority. Aside from protesting that the National Guard is ordered in to protect white property in the North but not Negro lives in the South, most rioters treated the guardsmen with respect or, at any rate, without sharp hostility.[12] If the outbreak and subsequent development of the sixties riots are to be understood, then, it is essential to analyze the reasons why the Negroes so keenly resent the police.

I

Perhaps the most familiar of these reasons is police brutality, or simply defined, the excessive use of force against civilians. To find allegations of brutality is fairly easy. The U.S. Civil Rights Commission alone has received hundreds of complaints charging that policemen have barged into homes and terrorized inhabitants, beaten suspects far beyond the point of resistance, shot fleeing juveniles suspected of minor offenses, broken up non-violent demonstrations in a violent way, and even applied third-degree techniques in the station house.[13] To prove these allegations is

[11] Joseph D. Lohman and Gordon E. Misner, *The Police and the Community: The Dynamics of their Relationship in a Changing Society*, a report prepared for the President's Crime Commission (Washington, 1966), I, 78-79.

[12] New York *Times*, June 23, 25, 1966, July 17, 18, 1966. The Newark Negroes reacted quite differently in 1967, but then so did the New Jersey National Guard. If the first-hand accounts of the rioting are reliable, the rioters assaulted the guardsmen in self-defense. It was the guardsmen and not the Negroes who refused to abide by the tacit understandings of the nineteen-sixties riots. For a description of the Newark riots, see Hayden, 19-23.

[13] The literature on police brutality is much too extensive to be covered here, but for a sample of incidents, see U.S. Commission on Civil Rights, *1961 Report. Book 5: Justice* (Washington, 1961), 5-28; Ed Cray, *The Big Blue Line:*

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much harder, however. In most cases it is extremely difficult to recreate the situation as it appeared to the officer on the scene who had little time to deliberate before taking action. Nevertheless, the Civil Rights Commission found enough cases where the issue was beyond reasonable doubt to conclude that police brutality is a serious problem in the nineteen-sixties.[14] Brutality is not a new, or even a growing, problem; it is not a regional problem, though it is more common in the South and more explosive in the North; and it is not strictly a class problem either, though the lower class is more likely to experience it and the middle class more likely to complain about it. Brutality is, however, a racial problem, because blacks are much more likely to be victims than whites.

And Negroes are well aware of this. In Detroit, Newark, Cleveland, and the other cities where the Civil Rights Commission held hearings on criminal justice the Negroes, especially the middle-class Negroes, complained vigorously about police brutality.[15] Indeed, it is no exaggeration to say that they complained as vigorously about police brutality as about excessive unemployment, inferior education, and inadequate housing. Furthermore, recent surveys have revealed that this attitude is widely held in the ghetto. Of the Negroes in southcentral Los Angeles who replied to the question, How much brutality is there in the community? John F. Kraft, Inc. reported that 36 per cent said a lot, 40 per cent a little, and only 20 per cent none at all. The response was much the same in Harlem. Of the Negro men in Washington, D.C., who maintained that black people were treated differently by the police, the Bureau of Social Science Research found that 49 per cent thought this difference was manifested in brutality. And this finding was confirmed by surveys in Philadelphia, San Diego, and other cities.[16] Taken together the evidence indicates that a substantial minority of Negroes, not only Southern Negroes, believes that police brutality is a common practice today.

Police Power vs. Human Rights (New York, 1967), 140-52; President's Crime Commission, *The Police*, 181-83.

[14] U.S. Commission on Civil Rights, *Justice*, 26.

[15] U.S. Commission on Civil Rights, *Jackson Hearings*, 216-22; U.S. Commission on Civil Rights, *Detroit Hearings*, 302-21; U.S. Commission on Civil Rights, *Newark Hearings*, 445-59; U.S. Commission on Civil Rights, *Cleveland Hearings*, 542-48.

[16] John F. Kraft, Inc., "Attitudes of Negroes in Various Cities," a report pre-

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Whether they are right is another matter. Most police officials, pointing out that very few persons submit complaints about brutality and that very few of these complaints are substantiated, contend that the Negroes are wrong. But this reasoning is not convincing. Most victims of brutality are not only black but also poor and powerless; they do not know how to lodge a complaint, nor do they believe it would do much good anyway. Also, most policemen are so sensitive to the sanctions against brutality that they seldom mistreat civilians before witnesses or leave marks of their handiwork behind.[17] There is other evidence supporting the Negroes' position. Of the southcentral Los Angeles residents interviewed by the U.C.L.A. Institute of Government and Public Affairs, 47 per cent had seen police brutality, 43 per cent knew someone so mistreated, and 9 per cent had themselves been victims. According to data gathered by the American Civil Liberties Union, the situation is just as bad, if not worse, in Boston, Chicago, and New Orleans.[18] This evidence is crude, but considered with the report of the President's Crime Commission, which found that excessive force was often used in Washington, D.C., it indicates that a small but significant minority of Negroes is presently subjected to police brutality.

Contrary to the claims of the police, the source of brutality is not so much the volatility of a few wayward patrolmen as the ideology and experience of the police as an occupational group. To begin with, the police feel profoundly isolated from a public which, in their view, is at best apathetic and at worst hostile, too

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pared for the U.S. Senate Subcommittee on Executive Reorganization ([New York], 1966), 13, 24; Albert D. Biderman, *et al., Report on a Pilot Study in the District of Columbia on Victimization and Attitudes Toward Law Enforcement*, a report prepared for the President's Crime Commission (Washington, 1967), 144; Lohman and Misner, I, 84-85; II, 100-01, 127-30.

[17] Current police complaint procedures are treated fully and critically in National Center on Police and Community Relations (School of Police Administration and Public Safety, Michigan State University), *A National Survey of Police and Community Relations*, a report prepared for the President's Crime Commission (Washington, 1967), 188-257.

[18] Walter J. Raine, "The Perception of Police Brutality in South Central Los Angeles Following the Revolt of 1965," unpublished paper written for the U.S. Office of Economic Opportunity (1966), Figure 1; American Civil Liberties Union, "Police Power vs. Citizens' Rights: The Case for an Independent Police Review Board" (1966), 13; President's Crime Commission, *The Police*, 182.

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solicitous of the criminal and too critical of the patrolman. They also believe that they have been thwarted by the community in the battle against crime, that they have been given a job to do but deprived of the power to do it.[19] Excessive force is a way to even the score. Moreover, the police, who in America are regarded as employes of the taxpayers rather than as representatives of the law, do not receive the deference accorded them in most Western European countries. Held in such low esteem that they cannot command respect merely by virtue of their position, they must rely on a personal, as opposed to a professional, claim to authority.[20] They must be tough. This sense of isolation and absence of respect render it difficult, if not impossible, for most American policemen to maintain law and order and at the same time strictly abide by a policy of minimal physical force.

This situation is at its worst in the Negro ghettos. First of all, nowhere else do the police have better reason to feel isolated; so deep is their hostility that many Negroes refuse to cooperate with the police. Nowhere else do the police have greater cause to sense a lack of respect, too; so intense is their resentment that many Negroes regard the police with outright contempt.[21] Furthermore, the ghetto is a very dangerous place; the rate of crime, especially violent crime, is higher there than anywhere else in the city. To deal with this problem the police rely on stereotyping, a standard practice by which they judge the individuals in a community by the reputation of the community as a whole. Stereotyping works fairly well in white neighborhoods. But applied to Negro ghettos,

[19] William A. Westley, "Violence and the Police," *American Journal of Sociology*, LIX (1953), 34-41; National Center on Police and Community Relations, *Police and Community Relations*, 21-24; Albert J. Reiss Jr., *Career Orientations, Job Satisfaction, and the Assessment of Law Enforcement Problems by Police Officers*, in *Studies in Crime and Law Enforcement in Major Metropolitan Areas*, a report prepared for the President's Crime Commission (Washington, 1967), II, 22, 91, 97-98, 101-02.

[20] Illuminating here are Arthur Niederhoffer, "A Study of Police Cynicism" (New York University doctoral dissertation, 1963), 123; Michael Banton, *The Policeman in the Community* (London, 1964), 86-126; and David J. Bordua, "Social Organization of the Police," a draft of an article prepared for the *International Encyclopedia of the Social Sciences*, 5-6.

[21] Lohman and Misner, I, 77-79, 98-107; II, 83-85, 97-99; Biderman, *et al.*, 135-45. See, also, Subcommittee on Executive Reorganization of the Committee on Government Operations United States Senate, *Hearings [on] Federal Role in Urban Affairs* (Washington, 1966), Part 5, 1097-099.

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it leads most policemen, particularly prejudiced policemen, to conclude that all Negroes are lawless, prone to resist the police, and likely to require rough handling.[22] From the perspective of these policemen, it is virtually impossible to patrol the Negro ghettos without sometimes using excessive force.

In practice, then, the police regard excessive force as a special, but not uncommon, weapon in the battle against crime. They employ it to punish suspects who are seemingly guilty yet unlikely to be convicted, and to secure respect in communities where patrolmen are resented, if not openly detested. And they justify it on the grounds that any civilian, especially any Negro, who arouses their suspicion or withholds due respect loses his claim to the privileges of law-abiding citizens.[23] There are, of course, sanctions against brutality—the policeman can be suspended or dismissed from the force, and he can even be sued for damages by the victim —but they are not very effective. The victim who presses charges is rare indeed; rarer still is the police administrator who accepts a civilian's accusation in the face of a patrolman's denial. Moreover, the only witnesses are usually other policemen whose loyalty to their fellow-officers is so strong that they are seldom willing to substantiate incidents of excessive force.[24] The police use excessive force for personal, as opposed to professional, ends—especially, but not exclusively, in the Negro ghettos—because the risks involved in brutality are not commensurate with the benefits.

The gravity of police brutality can easily be exaggerated, however, if considered outside its historical context. A longstanding practice, it can be traced back into the nineteenth century when the first professional police forces were established in the United States. A persistent practice, too, it was sharply condemned by the National Commission on Law Observance and Enforcement in 1931 and by the President's Commission on Civil Rights in

[22] On this point, see William A. Westley, "The Police: A Sociological Study of Law, Custom and Morality" (University of Chicago doctoral dissertation, 1951), 174-75; William B. Kephart, *Racial Factors and Urban Law Enforcement* (Philadelphia, 1957), 75-107; and Lohman and Misner, I, 116-17, 120-31.

[23] Westley, "Violence and the Police," 34-41. For a revealing statement about the ideology of the police, see U.S. Commission on Civil Rights, *Detroit Hearings*, 399.

[24] National Center on Police and Community Relations, *Police and Community Relations*, 188-257; American Civil Liberties Union, "Police Power vs. Citizens' Rights," 15-23; Lohman and Misner, I, 168-75; II, 205-12.

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1947.[25] Viewed in perspective, police brutality is on the wane. Except in some Southern states the police do not assault Negroes on the streets or beat them in the station houses as frequently as they did a generation ago. Nor do they still casually dismiss charges of excessive force and other illegal activities on the grounds of increased efficiency. The decline in police brutality has several causes. Police administrators have labored long and hard to persuade their personnel that excessive force is incompatible with professionalization. The courts have refused to accept evidence secured by third degree techniques, improper searches and seizures, and other unlawful tactics. And, perhaps more important, the Negro leadership and Negro rank-and-file have served notice that they will no longer tolerate excessive force.[26]

To say that police brutality is on the wane is not to deny that it remains a grave irritant of police-community relations in the Negro ghettos. According to the Bureau of Social Science Research's survey of Washington, D.C., Negroes who have witnessed (without, it should be noted, experiencing) brutality and other official misconduct are much less respectful of the police than Negroes who have not.[27] Police brutality is plainly inconsistent with the function of a police force in a democracy, too. Can anything be more infuriating to an American than to be beaten and otherwise mistreated by the very authorities who have been entrusted with a monopoly of physical force for the express purpose of protecting him? Finally, to say that police brutality is on the wane is not to deny that the pace could be hastened or that public policy could be improved. Among police administrators, civil libertarians, and Negro spokesmen, however, there is a great deal of disagreement about the gravity of the problem, the responsibility for the situation, and the prospect for reform. Rather than enter into this controversy here, it is sufficient to conclude that brutality is a reason for the Negroes' intense resentment of the police.

[25] Zechariah Chaffee Jr., Walter H. Pollak, and Carl S. Stern, *The Third Degree*, in National Commission on Law Observance and Enforcement, *Report on Lawlessness in Law Enforcement* (Washington, 1931), 13-192; President's Committee on Civil Rights, *To Secure these Rights* (Washington, 1947), 25-27.

[26] Bordua, "Social Organization of the Police," 5-6. See, also, Walter Gellhorn, "Police Review Boards: Hoax or Hope?" *Columbia University Forum*, IX (1966), 5-7; President's Crime Commission, *The Police*, 181.

[27] Biderman, *et al.*, 143.

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II

Another reason, no less important though much less well known, is police harassment, or, roughly defined, the denial of ordinary respect to Negroes because of their color and the presumption of their criminality without sufficient cause. Harassment assumes many forms. It is harassment when the police refer to a Negro as "nigger" or to an adult as "boy," when they treat a hardworking man as a loafer and a respectable woman as a tramp, when they detain, question, or arrest a Negro youth for no apparent reason, and when they force him to "spreadeagle" against a wall or a car for frisking.[28] Harassment is verbal as well as physical; sometimes the only distinction between harassment and proper patrolling is nothing more tangible than the tone of a policeman's voice. Harassment is also extremely widespread; it is practiced in the North as well as in the South and experienced by middle-class Negroes as well as by lower- and working-class Negroes. If anything, the available evidence leaves little doubt that no one, white or black, resents police harassment more than respectable Negroes.[29] Even more noteworthy, Negroes are so much more likely to be harassed than whites that harassment is indeed a racial problem.

And, if the U.S. Civil Rights Commission's hearings are reliable, harassment is a very serious problem, too. For every complaint about brutality received by the commission—and by the McCone Commission and state civil rights commissions as well—there are several complaints about harassment. Taken together, these complaints describe a continuous round of petty (and not so petty) insults and other indignities even more oppressive than the less frequent incidents of brutality.[30] These indignities are

[28] The literature about harassment is so vast that only a few items can be cited here: *MCA*, X, 9-10; U.S. Commission on Civil Rights, *Detroit Hearings*, 321-34; American Civil Liberties Union, "*Police Power vs. Citizens' Rights*," 13-15; Cray, 183-94.

[29] This is not to say that lower-class Negroes do not keenly resent the police. Clearly they do; see Carl Werthman and Irving Piliavin, "Gang Members and the Police," in David Bordua (ed.), *The Police* (New York, 1967), 56-98. It is rather to say that middle-class Negroes are just as resentful and even more indignant (see, for example, U.S. Commission on Civil Rights, *Cleveland Hearings*, 537).

[30] *MCA*, III, 29-36; VI, 48-49; U.S. Commission on Civil Rights, *Detroit Hearings*, 379-88; Lohman and Misner, I, 98-107, 138-39; II, 121-27.

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exceedingly frustrating, too, not only because many are blatantly racial in character but also because, to anyone other than a Negro, some often appear rather trivial. This testimony is substantiated by recent public opinion surveys. Of the Washington, D.C., residents interviewed by the Bureau of Social Science Research, over one-half of the Negroes, as opposed to about one-quarter of the whites, thought that the police needlessly push people around. Of the Los Angeles Negroes questioned by the U.C.L.A. Institute of Government and Public Affairs, fully eight of ten claimed that the police use insulting language in the southcentral ghetto.[31] These findings, which are consistent with other surveys about attitudes toward the police, indicate that a substantial majority of the Negroes believe that harassment is a common practice today.

Whether they are right is less easy to say because harassment is very difficult to measure. There are millions of contacts between Negroes and policemen, and what is harassment to one is usually proper patrolling to the other; even to an observer the dividing line is often extremely vague. Moreover, the studies and statistics which would provide the basis for measurements are not available. There are few interviews of Negroes and patrolmen and even fewer observations of field encounters; nor are there many police statistics about detention, interrogation, arrest, and disposition by race. There is, nonetheless, some evidence from Los Angeles, which boasts a highly professional police force, supporting the Negroes' position. Of the black people interviewed by U.C.L.A.'s Institute of Government and Public Affairs, fully one-half had witnessed harassment and over one-quarter had experienced it. Also, about twice as many persons are arrested per crime in the southcentral ghetto as in the surrounding white communities; and no less than one-third of them are not subsequently charged.[32] If these figures suggest that harassment is fairly common in southcentral Los Angeles, the report of the Task Force on Police to the

[31] Biderman *et al.*, 137; Raine, Table 9; Philip H. Ennis, *Criminal Victimization in the United States: A Report of a National Survey*, prepared for the President's Crime Commission (Washington, 1967), 54-58.

[32] Raine, Figure 1; Cray, 186-91. This is not the case in San Francisco, however. See U.S. Commission on Civil Rights, *Hearings Held in Los Angeles, California, January 25-26, 1960 [and] San Francisco, California, January 27-28, 1960* (Washington, 1960), 771-76.

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President's Crime Commission implies that this is also true in several other Negro ghettos.

Again, contrary to the claims of the police, the source of harassment is not so much the prejudice of a few misguided patrolmen as the occupational anxiety of the police and the personal sensitivity of the Negroes. The anxiety of the police stems from their inability to reconcile the public's ranking of their occupation—which, while slowly rising, is still rather low—with their own more elevated estimate.[33] Somewhat authoritarian in temperament—and increasingly so with length of service—most patrolmen are extremely sensitive to any sign of disrespect, any slight whatever, to their profession.[34] A large majority of them are convinced that it is harder to maintain public order today than ever before, that the criminals are more active, the public less cooperative, and the courts too lenient. For these reasons the police vigorously assert their authority and otherwise intensify their surveillance in high-crime neighborhoods; only by these means, they assume, can patrolmen insure due respect for the police and reduce the opportunities for crime. And though the police argue that the public should approve, and indeed trust that all law-abiding citizens will do so, they do not consider public approval essential.[35]

Whether intensive patrolling develops into outright harassment depends on two things: how the patrolman approaches the civilian and how the civilian responds to the patrolman. Now the police do not treat everyone alike. Other things being equal, they are more likely to harass blacks than whites, juveniles than adults, men than women, the poor than the rich, and the deviant than the respectable. But, according to squad-car sociologists, in high-

[33] Albert J. Reiss Jr., *Occupations and Social Status* (Glencoe, 1961), 56; Robert W. Hodge, Paul M. Siegel, and Peter H. Rossi, "Occupational Prestige in the United States, 1925-1963," *American Journal of Sociology*, LXX (1964), 290-92; Reiss, *Career Orientations*, 84-94.

[34] John H. McNamara, "Uncertainties in Police Work: The Relevance of Police Recruits' Backgrounds and Training," in Bordua, *The Police*, 191-97. For a somewhat different, though easily reconcilable conclusion, see Niederhoffer, 128, 163.

[35] McNamara, 221-22. See, also, Westley, "The Police," 174-75; Kephart, 75-107; James Q. Wilson, "Police Morale, Reform, and Citizen Respect: The Chicago Case," in Bordua, *The Police*, 137-62.

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crime communities, white as well as black, the patrolman's approach is shaped largely by the civilian's response.[36] The patrolman is more inclined to behave properly if the civilian is sober and deferential, or at least civil, than if he is drunk, antagonistic, or even simply disrespectful. And blacks are less respectful of the police than are whites (and particularly working-class whites). The Negroes left the South with a long and sorrowful history of police mistreatment; to them the patrolman was the principal agent in perpetuating racial subordination and segregation. Once in the North, moreover, the Negroes are just as anxious about their status as the police; a racial (indeed, in America *the* racial) minority, they, too, are touched by an acute and sometimes undue sensitivity.[37] Hence they are quick to take offense and slow to hide resentment.

What aggravates this situation is that most policemen are prejudiced against Negroes, that, as Richard Simon of the Los Angeles Police Department admitted to the McCone Commission, they cannot perceive them as individuals.[38] That is, these policemen, who deal with Negroes professionally as lawbreakers and personally not at all, cannot differentiate between ordinary Negroes and Negro criminals; to them, few Negroes are worthy of respect and even fewer are free of suspicion. Accordingly, police discretion, which is applied everywhere in urban America and with satisfactory results in white neighborhoods, does not work well in Negro ghettos because the police, not knowing which Negroes to ignore, check them all. This procedure is crude as well as unjust, and the police make a great many mistakes; when law-abiding Negroes request an explanation, the patrolmen believe that their authority is being challenged. A confrontation develops because few groups are less willing to hear a reasonable gripe than the police, few are less ready to accept an honest error than the

[36] Donald J. Black and Albert J. Reiss Jr., *Patterns of Behavior in Police and Citizen Transactions*, in *Studies of Crime and Law Enforcement in Major Metropolitan Areas*, II, 26-67.

[37] This point has been well stated by John A. Buggs, executive director of the Los Angeles County Human Relations Commission, in *MCA*, V, 18-23.

[38] *MCA*, XIII, 8-9. For a recent estimate of police prejudice, see Black and Reiss, *Police and Citizen Transactions*, 132-29. And for a case of the policemen's inability to differentiate among Negroes, see U.S. Commission on Civil Rights, *Cleveland Hearings*, 534-39.

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Negroes, and, however much each would prefer to avoid a showdown, neither is secure enough to concede the issue.[39]

Although harassment (or at least informal harassment) is less common now than in the past, it is, in view of the Negroes' current militancy, a more serious problem than ever before. Also, by virtue of its low visibility, harassment is very hard to restrain. The police are publicly opposed to racial discrimination, but the courts are ill prepared to review everyday patrolling, and the Negroes are hard pressed to transform minor insults into major issues. Moreover, the police-civilian community relations commissions established in several large cities have not relieved the anxiety of the police or soothed the sensitivity of the Negroes.[40] Nor have they persuaded the police to halt field interrogations, stop-and-search maneuvers, and the other patrolling techniques which, in the name of vigorous law enforcement, subject the Negroes to unjustified suspicion and unwarranted surveillance. Hence the situation in the ghetto is paradoxical. The police have curtailed racial discrimination and at the same time institutionalized preventive patrolling; in other words, they have replaced harassment by individual patrolmen with harassment by entire departments.[41] And the benefits are dubious.

The liabilities are clear, however. Harassment not only undermines public order in the ghettos; it also generates intense resentment among the Negroes. The United States is not an occupied territory; it is a policed society, a society in which police authority is severely limited and police action is essentially responsive. Accordingly, the fundamental basis of public order is not law enforcement—which is the ultimate sanction—but what Allan Silver aptly describes as the "moral consensus" of the community.[42]

[39] This situation, which has been aptly described as an unfortunate example of Robert Merton's concept of the "self-fulfilling prophecy," is vividly described in Werthman and Piliavin, 56-97.

[40] For an extended discussion of current police-community relations programs, along with a series of recommendations to enhance their effectiveness, see National Center on Police and Community Relations, *Police and Community Relations*, 32-127.

[41] For a modest survey of many of the tactics which can be considered under the rubric of preventive patrolling, see Diane Fisher, "Police Investigatory Detention Practices" (1966), a report prepared for the President's Crime Commission.

[42] Allan Silver, "The Demand for Order in Civil Society: A Review of Some

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Put negatively, this means that the authorities cannot maintain law and order in the face of widespread indifference, not to mention out-and-out opposition, on the part of the populace. By denying the Negroes due respect and presuming their criminality, the police are undermining the already unstable "moral consensus" in the ghettos; and by practicing preventive patrolling in the Negro ghettos they are treating these communities as occupied territories. In these ways the police are engendering in the ghettos the intense hostility the Negroes so pointedly directed at their ranks during the nineteen-sixties riots.

III

In view of the fact that the police justify the use of extraordinary tactics in the Negro ghettos on the grounds that they cannot otherwise preserve order, it is ironic that still another reason the Negroes resent the police is that they believe that the ghettos are not adequately protected. By this charge—which Negro spokesmen have made time and again to the U.S. Civil Rights Commission, the state civil rights commissions, and the McCone Commission—the Negroes mean two things. First, that the police maintain a much less rigorous standard of law enforcement in Negro ghettos than in white communities, that they ignore a wide range of illegal activities there, including drug addiction and prostitution, that they would not tolerate elsewhere. Second, that the police treat complaints and appeals with much less urgency in Negro ghettos than in white neighborhoods, that they answer calls much more slowly there, if, indeed, they answer them at all, than anywhere else.[43] According to Negro spokesmen, it is due to this dual standard of law enforcement that life and property are so precarious in the black ghettos.

If the most recent public opinion surveys are indicative, this belief is widely shared by the Negro rank-and-file. The University of California School of Criminology found that Negroes in Philadelphia and San Diego are convinced that the police apply a dif-

Themes in the History of Urban Crime, Police, and Riot," in Bordua, *The Police*, 6-15. See, also, Wilson, "The Chicago Case," 162.

[43] U.S. Commission on Civil Rights, *Cleveland Hearings*, 522-25, 526-27; U.S. Commission on Civil Rights, *Detroit Hearings*, 321-30; *MCA*, VIII, 82-83; X, 8-9.

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ferent standard of law enforcement in the ghettos. John F. Kraft, Inc. reported that Negroes in Harlem and southcentral Los Angeles mention inadequate protection more often than brutality or harassment as a reason for resenting the police. And the National Opinion Research Center concluded that only one Negro in five, as opposed to about one white in two, thinks that the police provide very good protection in his community.[44] The Negro rank-and-file also acts as if it lacks confidence in the police and fears for its safety in the ghettos. According to a nationwide survey prepared for the President's Crime Commission, Negroes are somewhat less likely than whites to report crimes to the police. Among Washington, D.C., residents, about one-third of the Negroes, as opposed to only one-eighth of the whites, stay home at night because they are afraid. Perhaps even more noteworthy, Negroes in Fillmore and Roxbury are more likely to carry weapons than are whites in comparable high-crime districts of Chicago and Boston.[45]

The available evidence indicates that the Negroes' concern is well founded. Among Chicago's twenty-one police districts, the West Side ghetto, the site of several recent riots, ranked first in homicide and rape, second in aggravated assault and burglary, third in robbery, and second, behind the Loop, in all serious crimes in 1965. It was closely followed by the South Side ghetto. In Los Angeles, 44 per cent of the murders, rapes, and aggravated assaults, 40 per cent of the robberies, 33 per cent of the thefts, 24 per cent of the burglaries, and 27 per cent of all serious crimes were committed in the southcentral ghetto in 1965.[46] Yet only 17 per cent of the population lived there. According to a study prepared for the President's Crime Commission, moreover, Negro men are six times as likely as white men—and Negro women eight times as likely as white women and even four times as likely as white men—to be victims of a serious crime.[47] This differ-

[44] Lohman and Misner, I, 139-40; II, 173-74; John F. Kraft, Inc., 23-29; Ennis, 54-55.

[45] *Ibid.*, 46-47; Albert J. Reiss Jr., *Public Perceptions and Recollections About Crime, Law Enforcement, and Criminal Justice*, in *Studies in Crime and Law Enforcement in Major Metropolitan Areas*, II, 104.

[46] "1965 Crime Rate per 1,000 Population by District," a table compiled for me by the Chicago Police Department; Los Angeles Police Department, "Major Crimes and Attempts—One Year Period July 1, 1964 to June 30, 1965," *MCA*, II.

[47] Albert J. Reiss Jr., *Measurement of the Nature and Amount of Crime*, in

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ential exists at every income level. Hence it is safe to conclude that the incidence of crime and the danger to life and property are inordinately high in the Negro ghettos.

But it does not necessarily follow that the police enforce the law less rigorously there. This was the case in Negro ghettos a generation ago (as well as in Irish, Italian, and other ethnic ghettos even earlier). At that time the police ignored many kinds of crimes there that they did not tolerate in white, particularly middle-class white, neighborhoods. To most policemen a crime against a Negro was not a police matter; to most whites it was not, except in special circumstances, a public affair. So long as whites were insulated from blacks and Negro crime was confined within the ghettos, nearly everyone presumed that the police were doing their job. The police also protected many criminals, especially, but not exclusively, white criminals, who operated illegitimate enterprises in Negro ghettos. Indeed, policemen and criminals were often connected with politicians and businessmen in an intricate network of underworld activities. The patrolman who overlooked these activities was well rewarded; the patrolman who interfered with them was soon transferred to another precinct.[48] The concept of limited responsibility and the practice of systematic corruption were at the core of the dual standard of law enforcement which prevailed in most cities down through World War II.

Since then, however, the professionalization of the police has made the dual standard anachronistic. Not that the police enforce the law precisely the same way in Negro communities as in white neighborhoods; the incidence of crime, particularly violent crime, is so high in the ghettos that the police often respond to major crimes too late and disregard minor crimes altogether.[49] Not

Studies in Crime and Law Enforcement in Major Urban Metropolitan Areas, I, 44.

[48] New York State Legislature, *Report and Proceedings of the Senate Committee Appointed to Investigate the Police Department of New York* (Albany, 1895), 5,311-384; Herbert Mitgang, *The Man Who Rode the Tiger: The Life and Times of Judge Samuel Seabury* (Philadelphia, 1963), 159-265; St. Clair Drake and Horace R. Cayton, *Black Metropolis: A Study of Negro Life in a Northern City* (paperback ed., New York, 1962), II, Chap. 17; Frank Tannenbaum, *Crime and the Community* (New York, 1938), Chaps. V, VI.

[49] See, for example, U.S. Commission on Civil Rights, *Cleveland Hearings*, 522-25, 526-28, 578-79.

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that there are no corrupt or otherwise incompetent policemen either; the major scandals which shocked Denver, Chicago, Indianapolis, Buffalo, and many other cities not long ago clearly indicate that this is not so.[50] And not that the police are free of racial preconceptions about Negroes; indeed, a survey prepared for the President's Crime Commission in 1967 leaves little doubt that the overwhelming majority of patrolmen are prejudiced against black people.[51] Nonetheless, the police have by now recognized that a crime is a crime whether the victim is black or white, eliminated the more systematic and institutionalized form of corruption, and thereby revitalized their commitment to law and order in urban America. And though some police departments, principally in the South, have not as yet conformed, a single standard of law enforcement is now well established in most of the country.

So deep is their pride in these changes that the police have reacted extremely sharply to charges that Negro communities are less vigorously patrolled than white neighborhoods. Police spokesmen have stressed two points in their denials. One, that the police are seriously handicapped in fighting crime in the ghettos because Negroes are seldom willing to cooperate unless their own lives or property are at stake. The other, that the police have no responsibility for the conditions underlying crime, that, to apply one criminologist's distinction, the police can prevent the opportunities but not the motives for illegal activities.[52] Concerning the first point, many Negroes are reluctant (and, given their long history of mistreatment, understandably so) to involve themselves with government authorities, most of all with the police. And the extraordinary tactics employed in the ghettos under the rubric of preventive patrolling have greatly intensified the Negroes' suspicion of the police. Hence the police bear no small part of the responsibility for society's failure to

[50] President's Crime Commission, *The Police*, Chap. 7; Ralph Lee Smith, *The Tarnished Badge* (New York, 1965), *passim*.

[51] Black and Reiss, *Police and Citizen Transactions*, 132-39.

[52] *MCA*, XI, 37, 117; O. W. Wilson, "Police Arrest Privileges in a Free Society: A Plea for Modernization," in Claude R. Sowle (ed.), *Police Power and Individual Freedom: The Quest for Balance* (Chicago, 1962), 24; Reiss, *Career Orientation*, 79-81.

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tap what several recent public opinion surveys describe as an enormous concern for public safety among the Negroes.[53]

With respect to the second point, the reasons for the excessive rate of crime, especially violent crime, in Negro ghettos are essentially a function of poverty and discrimination and only incidentally of the quality of law enforcement. Like other impoverished immigrants, the Negroes resorted to underworld enterprises when they found the legitimate channels to success narrow and clogged. The instability of their families, the weakness of their voluntary associations, and the attractions of ghetto street life eased this transition. Also, even more than the European immigrants, the Negroes suffered from chronic discrimination which gave rise to severe and widespread frustration. For several generations they directed their aggression not at whites, who were either unavailable or too dangerous, but rather at other Negroes (even relatives and friends).[54] And these tendencies toward crime and violence were accelerated by many patrolmen and correctional officers who, operating on the principle that Negroes are inherently criminal, prematurely classified them as delinquent, jailed them and branded them, and thereby left them no alternative but crime.[55]

Hence the issue of inadequate protection is a complicated one. The police are right in claiming that their responsibility does not extend beyond limiting the opportunities for criminal activity. But they are wrong in arguing that to meet this responsibility in the Negro ghettos they must resort to preventive patrolling and other extraordinary tactics. Surely, the police cannot accept the restraints of the policed society in one case and reject them in the other. The Negroes are mistaken in attributing the high levels of crime and violence in the ghettos to a dual standard of law enforcement. But they have long held this belief and still

[53] See, for example, John F. Kraft, Inc., 23-29, and Biderman *et al.*, 134-45.

[54] Richard A. Cloward and Lloyd E. Ohlin, *Delinquency and Opportunity: A Theory of Delinquent Gangs* (Glencoe, 1960), Chaps. 1, 4-7; Daniel Bell, *The End of Ideology: On the Exhaustion of Political Ideas in the Fifties* (Glencoe, 1960), 115-36; Thomas E. Pettigrew, *A Profile of the Negro American* (Princeton, 1964), Chap. 6.

[55] Carl Werthman, "The Function of Social Definitions in the Development of Delinquent Careers" (Aug., 1966), a paper prepared for the President's Crime Commission, 39-54.

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encounter a few corrupt and incompetent policemen whose behavior confirms it; and, in any case, the Negroes cannot be expected to change their opinions in a moment when it took the police over a generation to revise their practices. Lastly, brutality, harassment, and inadequate protection have a cumulative impact in the ghettos. However hard it is for the Negroes to submit to brutality and harassment under any circumstances, it is even harder when the police do not provide the protection which might excuse occasional mistreatment. Together, these grievances have generated the keen resentment manifested in the outbreak and subsequent development of the nineteen-sixties riots.

IV

This resentment is greatly intensified because most Negroes believe that they are powerless to protest and remedy these grievances. There are complaint procedures available. According to a survey undertaken by Michigan State's Center on Police and Community Relations, nine police departments of every ten require an investigation of civilian complaints.[56] These procedures vary considerably from one department to the next. Roughly half maintain special units to handle civilian complaints, whereas the other half delegate responsibility to ordinary supervisory personnel. The findings are transmitted to internal advisory boards; some hold formal hearings, which are generally closed to the public, but most do not. Sometimes these boards enforce their decisions; more often final authority is vested in the police chiefs or in the division heads.[57] Still, the principle underlying these complaint procedures is much the same everywhere (except, of course, in cities which have established independent, civilian or civilian-controlled, police review boards). And that is, that the responsibility to receive, process, and dispose of complaints against the police should be entrusted to the police, and to them alone.

That few Negroes have much confidence in police complaint procedures was made quite clear at the U.S. Civil Rights Com-

[56] President's Crime Commission, *The Police*, 195.

[57] *Ibid.*, 195-97. See, also, National Center on Police and Community Relations, *Police and Community Relations*, 193-205.

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mission hearings in Newark, Detroit, Cleveland, and other cities. Testimony taken by the commission's state advisory committee in Minnesota corroborated this. So did surveys of Negro opinion in Philadelphia and San Diego by the University of California School of Criminology, statements by Los Angeles Negroes to the McCone Commission, and studies by the American Civil Liberties Union (or its regional affiliates) in Atlanta, Boston, and New York.[58] Most Negroes have genuine grounds for their distrust, too. It is true that very few Negroes submit complaints to the police, that even fewer carry their cases to a conclusion, and that there is a wide variation in the disposition of civilian complaints in different police departments. But it is also true, as candid police administrators sometimes concede, that it is so rare as to be an occasion when a policeman is found guilty and duly punished on the basis of a complaint by a Negro (or by any civilian).[59]

There are several reasons why this is so. First of all, none of the nation's municipal agencies—not housing, education, traffic, and certainly not welfare—solicit or encourage complaints from civilians. Well insulated from political pressure, these bureaucracies are not very responsive to public opinion; indeed, most bureaucrats consider demands from outside their organizations unwarranted interference. Hence it is not easy for civilians (even white civilians), no matter how affluent, well informed, and persistent, to protest and remedy flagrant misconduct, not to mention simple incompetence.[60] For Negroes it is much harder. Like other predominantly lower- and working-class groups, Negroes are exceedingly pessimistic about the likelihood of redressing grievances through administrative channels. Short of funds, information, and time, they are understandably reluc-

[58] U.S. Commission on Civil Rights, *Newark Hearings*, 455; U.S. Commission on Civil Rights, *Detroit Hearings*, 305; U.S. Commission on Civil Rights, *Cleveland Hearings*, 514; Lohman and Misner, I, 167-75; II, 164-65; American Civil Liberties Union, "Police Power vs. Citizens' Rights," 15-17.

[59] President's Crime Commission, *The Police*, 196. See, also, National Center on Police and Community Relations, *Police and Community Relations*, 186, 201-03.

[60] A valiant, if not altogether successful, attempt to expose this bureaucratic irresponsibility is Joseph P. Lyford, *The Airtight Cage: A Study of New York's West Side* (New York, 1966).

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tant to entangle themselves in expensive, complicated, and often interminable complaint proceedings.[61] Hard as it is to submit complaints and carry them to successful conclusions in most municipal agencies, however, it is even harder to do so in most police departments.

And for this the police bear the brunt of the responsibility. Until quite recently, they arrested civilians for filing false complaints in Los Angeles, charged them with criminal libel in New York, and, among other reprehensible practices, demanded that they take lie detector tests in Cleveland.[62] Even today the police employ a variety of tactics designed to discourage, if not to prevent, civilians, especially Negroes, from making complaints. If a civilian submits a complaint, the policeman who investigates the charges often intimidates him and his witnesses. If the complainant still insists on a hearing, most police departments do not provide him with counsel, nor do they permit him access to their investigatory files. Worse still, patrolmen rarely testify against one another, and police authorities often treat the complainant as if he, not the policeman, were the defendant. Moreover, the decision is not reached for several months, and in most cases the policeman is acquitted. In the few cases where he is convicted the police do not publicize the verdict; more often than not, they do not even notify the complainant.[63]

It is hardly likely that the police will change these procedures in the near future. For civilian complaints bring the deepest anxieties of the police to the surface in a way that more rigorous self-policing measures directed at tardiness, sloppiness, and narrowly professional and strictly internal matters do not.[64] To most policemen, civilian complaints pose a serious threat to the professionalization of the police, to their determination to set their own standards, judge their own members, and, above all, maintain their own discipline. They perceive a complaint against

[61] American Civil Liberties Union, "Police Power vs. Citizens' Rights, 16-17.

[62] *Ibid.*, 17. See, also, U.S. Commission on Civil Rights, *Cleveland Hearings*, 584-608; National Center on Police and Community Relations, *Police and Community Relations*, 192-93.

[63] *Ibid.*, 202-03, 218-29. See, also, President's Crime Commission, *The Police*, 195-97; American Civil Liberties Union, "Police Power vs. Citizens' Rights," 31.

[64] On the question of self-policing, see McNamara, 178-83, 230-36.

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a single patrolman as a challenge to the entire profession. Civilian complaints intensify the policeman's distinction between the police and the public, too, especially when the complainant belongs to a group which, in the policeman's view, is the greatest source of criminal activity and the gravest danger to public order. Moreover, civilian complaints may do irreparable damage to an officer's career and, by implication, to every officer's career, for at one time or another they, too, may be called on to defend themselves.[65] For these reasons most policemen feel compelled to stand together in opposition to civilian complaints.

So intransigent are the police that a great many Negro leaders and civil libertarians have proposed that independent review boards be established to handle complaints. They have offered the following reasons. One, a small but significant minority of patrolmen engage in brutality, harassment, corruption, and other illegal, or at least non-professional, practices. Two, many Americans, especially Negro Americans, have no confidence in police complaint procedures and no knowledge about the other judicial and federal remedies available. Three, the special character of police work—the patrolman's right to employ physical force—renders it imperative that civilians feel free to call police actions into question. Four, the creation of independent review boards would discourage police malpractice, restore civilian confidence, and thereby improve police-community relations. Five, independent review boards would be better qualified than internal investigative units to provide complainants and policemen alike with an impartial investigation.[66] Independent review boards would only offer recommendations anyway, the Negro leaders and civil libertarians have assured the police; the departments, presumably the chiefs or commissioners, would retain final authority.

The police have vigorously challenged the arguments for independent review boards. The amount of misconduct is tremendously exaggerated, they have insisted; the cries of brutality

[65] Reiss, *Career Orientations*, 74-79; National Center on Police and Community Relations, *Police and Community Relations*, 216-23.

[66] A forceful statement of this position is presented in American Civil Liberties Union, "Police Power vs. Citizens' Rights," 27-41. See, also, *MCA*, XIII, 9-27; Spencer Coxe, "The Philadelphia Police Advisory Board," *Law in Transition Quarterly*, II (1965), 179-85; Lohman and Misner, II, 205-78.

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and harassment are often nothing but attempts to undermine the effectiveness of law enforcement. The complaint procedures available in police departments, courts, and the Justice Department provide citizens with ample opportunity to secure redress. Moreover, the police should not be singled out for special treatment; nor should they be made the scapegoat for broader social problems. Even worse, the police have claimed, independent review boards will demoralize the police, weaken their authority, impair their efficiency, and thereby contribute to the rising crime rate in America. Police work is also so complicated that it is intolerable for anyone without special expertise and practical experience to sit in judgment of a patrolman.[67] Rather than inject politics into law enforcement, the police have answered, Negro leaders and civil libertarians should promote efforts to professionalize the police and spread understanding of its role.

The controversy over independent police review boards cannot be resolved at this point. But it can be clarified by noting that Negro leaders and civil libertarians have exaggerated the benefits almost—though clearly not quite—as much as the police have exaggerated the liabilities. Illuminating here is the experience of Philadelphia, which established an independent review board in 1958. Contrary to the claim of the New York City Patrolman's Benevolent Association, the Philadelphia Police Department, as Howard R. Leary (formerly Philadelphia Police Commissioner and now New York City Police Commissioner) has stated, is as effective today as ever.[68] But if the 1964 rioting is indicative and if a 1966 survey by the University of California School of Criminology is reliable, the Philadelphia review board has not soothed the Negroes' resentment of the police or restored their confidence in complaint procedures.[69] Hence it is safe to say only that independent police review boards can probably promote but hardly guarantee improved police-community relations. Be that as it may, the police have blocked their establishment

[67] For the standard police argument, see U.S. Commission on Civil Rights, *Newark Hearings*, 475-77; for a fuller, and fairly dispassionate, statement of this position, see American Civil Liberties Union, "Police Power vs. Citizens' Rights," 23-27; and for a highly sophisticated critique of independent police review boards, see Gellhorn, 7-9.

[68] New York *Times*, Oct. 23, 1966.

[69] Berson, 50-54; Lohman and Misner, II, 83-85, 105-07, 121-30, 164-65.

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in all but a handful of cities, and not even there do Negroes have the confidence in complaint procedures which might relieve the intense resentment generated by brutality, harassment, and inadequate law enforcement.

V

Granted that police practices generate intense resentment in the ghettos, one other question must be considered: Why did the Negroes express this resentment as they did in the nineteen-sixties riots? This is not a simple question. Negroes are only one of many groups which have been subjected to brutality and harassment, infuriated by inadequate protection, and frustrated by ineffective complaint procedures. Many others have suffered, and, in some cases, still suffer, from these practices. Irishmen and Italians did in the late nineteenth and early twentieth centuries, Puerto Ricans and Mexicans do today, and so, of course, do Negroes in the Deep South.[70] It may be true that the Negroes in the ghettos share a resentment so intense as to be unique. But it is beyond question that other groups have felt, and indeed some still feel, a strong resentment toward the police (and, for that matter, toward the entire system of criminal justice in the United States).

And yet with the exception of the Puerto Ricans—who have launched a few minor assaults against policemen in New York and Chicago in response to extremely serious incidents[71]—only the Negroes have violently obstructed and openly attacked the police. A satisfactory explanation cannot be given here, for little research has been done on the relationship between the police and minority groups in the United States. A few points can be made, however, other than the obvious one that Negroes are more militant than these other groups, and that their militancy shapes their response to police action. Negro ghettos are also more thoroughly and intensively policed today than Irish, Italian, and other ethnic ghettos were two generations ago. And

[70] Ernest Jerome Hopkins, "The Police and the Immigrant," in *Proceedings of the National Conference of Social Work. . . May 15-21, 1932* (Chicago, 1932), 509-19. See, also, the items listed in note 10 above.

[71] New York *Times*, June 13-16, 1966, July 23-27, 1967.

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Northern Negroes are more confident than Southern Negroes—and thus far with good reason—that the police will be restrained, that indiscriminate retaliation will not be countenanced.[72] In any case, whatever the reasons, Negroes have responded to police actions on a scale and with a ferocity unmatched by any other minority group.

The question is complicated if the Negroes' response is placed in historical perspective. The Negroes' resentment of the police did not develop in the ninteen-sixties; nor did the grievances underlying it. The available evidence suggests that police practices in the ghettos have improved considerably in the recent past. If the report of the National Commission on Law Observance and Enforcement is reliable, outright brutality was much worse in the nineteen-thirties than in the sixties. And if the novels of Richard Wright, Ralph Ellison, and other Negro authors are accurate, verbal abuse was more common then than now. Moreover, as some police authorities have conceded, many departments maintained a separate standard of law enforcement in the Negro ghettos before World War II. And police complaint procedures, however ineffective they are today, were non-existent a generation ago.[73] Indicative of these changes, most police departments outside the Deep South now acknowledge—without necessarily approving—the Negroes' right to participate in non-violent demonstrations. How much more professionally they handled the march against residential segregation in Cicero, Illinois, in 1966 than the protest against the Scottsboro incident in New York City in 1934.[74]

And yet Negroes did not resort to rioting as a means of protesting police malpractice in the nineteen-thirties, forties, and fifties. Not that they passively accepted it. Rather they devised

[72] Oscar Handlin, *The Uprooted* (Boston, 1951), Chap. VIII; New York *Times*, June 15, 1966, July 25, 1967. For the situation as it once was throughout the South and as it still is in Mississippi and parts of Alabama and Georgia, see U.S. Commission on Civil Rights, *Jackson Hearings*, *passim*.

[73] Chaffee, Pollak, and Stern, 13-192; Ralph Ellison, *The Invisible Man* (New York, 1952); Richard Wright, *Native Son* (New York, 1940); *MCA*, XI, 86.

[74] New York *Times*, Sept. 5, 1966, March 19-25, 1934. Yet not even in the urban North, it should be noted, do the police always assume an impartial stance at public demonstrations. See, for example, U.S. Commission on Civil Rights, *Cleveland Hearings*, 568-72.

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various tactics—some non-violent, others violent, and still others in between—through which they expressed their resentment. Occasionally they protested police misconduct through formal political and administrative channels; sometimes they struck out against patrolmen with knives, razors, and even guns. More often, however, they refused to assist or otherwise cooperate with the police; no matter what, they not only did nothing, they also saw nothing, heard nothing, and knew nothing. The Negroes also adopted certain mannerisms which denied police respect, bothered them and baited them, without providing cause for arrest. The sullen glare of the adults and the insolent slouch of the juveniles were typical; so were the cocky stance of the hipster and the false humility and mock deference of the bopper.[75]

But if the scores of full-scale riots and hundreds of minor disturbances which have erupted in the nineteen-sixties are indicative, the Negroes do not intend to repress or disguise their resentment much longer. They have made it quite clear that they are prepared, even determined, to respond to unjust police action with violence no matter what the cost.[76] They have served notice that they will resist oppression, openly and, in their view, honorably, rather than submit to brutality and harassment by policemen who do not adequately protect them anyway. So long as they are arrested without due cause, they will challenge ordinary arrests; so long as they are subjected to verbal abuse and excessive force, they will shout back racial obscenities and launch out-and-out assaults; and so long as they are denied redress, they will protest and, if need be, protest violently. If this leads to rioting, so be it. Hence the longstanding tradition of passive resistance, eroded by generations of intolerable treatment and bureaucratic indifference, has vanished beneath a barrage of bricks, stones, Molotov cocktails, and bullets. Whatever doubts about this remained after the Harlem and Bedford-Stuyvesant riots of 1964 and even after the Los Angeles riots

[75] *Ibid.*, 534-35; *MCA*, X, 18-20; Lohman and Misner, II, 85; Piliavin and Werthman, 63-65, 87-89.

[76] The Los Angeles riots—to cite only one example—left no doubt about this. See Robert Conot, *Rivers of Blood, Years of Darkness* (New York, 1967), 35-36, 51-52, 57-58, 73-74. For the San Diego Negroes' interpretation of the Los Angeles riots, which reveals a similar determination to respond in kind to police violence, see Lohman and Misner, I, 99-100.

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of 1965 have forever been dispelled by the Newark and Detroit riots of 1967.

To explain so momentous a change requires an investigation of the increasing legitimacy of violent protest in the Negro ghettos, a task too formidable to be attempted here. But the Negroes' perception of the police has also played a part in this change, and about that a few comments can be made. Many Negroes, especially second-generation Negroes, measure the practices of the police by the standards of the white community and not by the standards of the rural South. The Negroes are also less frightened of the police today than ever before; they derive a remarkable degree of protection from the sheer size, homogeneity, and anonymity of the modern ghettos.[77] The Negroes are more proud of themselves and their race, too; as a result, they are more inclined to respond to grievances actively and as a group rather than passively and as individuals. Given these circumstances—and others which might be uncovered by further research into the relationship between the police and the Negroes in the twentieth century—it is not surprising that Negroes have now resorted to violence to protest police practices in the ghettos.

What is surprising—given the extreme vulnerability of the police in urban America and the wide range of violence available to disaffected minorities—is that thus far the Negroes have acted with such restraint and precision. For all the violence of the nineteen-sixties riots, even including the sniping in Newark and Detroit in 1967, it is beyond dispute that few, if any, Negroes attempted to murder the police. They obstructed them, insulted them, and even attacked them, but they did not kill them, and not for lack of opportunity but, as all the first-hand accounts of the riots reveal, for want of intent.[78] The Negroes also directed their aggression principally at local police-

[77] But it is uncertain how much longer they will be able to do so. See the remarks of Major General Almerin C. O'Hara of the New York National Guard, New York *Times*, July 29, 1967.

[78] Of the one hundred persons killed in the three worst riots—namely, the Los Angeles (1965), Newark (1967), and Detroit (1967) riots—only four were policemen (and only five were firemen or national guardsmen). Of the nine victims only two or three were deliberately murdered by the rioters. See Cohen and Murphy, 142-46, 252-53, 317; New York *Times*, July 16-18, 24-31, Aug. 23, 1967.

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men, the source of their immediate grievances, and only incidentally at national guardsmen and federal troops, the symbols of society's ultimate sanction.

Whether in the future the Negroes will arm themselves and, openly or otherwise, murder the local police, wage war on the national guard and federal troops, and in these ways deny the legitimacy of outside authority in the Negro ghettos is impossible to say. What is possible to say—given the evidence that the Negroes' resentment of the police is in large part justified—is that the responsibility for avoiding this course rests not only with white society generally, but with police departments particularly. It is incumbent upon them to promote professionalization, so that brutality is eliminated as rapidly as possible, a single standard of law enforcement is maintained everywhere in the country, and complaint procedures are revised to provide opportunity for redress. But it is also incumbent upon them to recognize the limitations of professionalization, especially when it is used to rationalize the employment of preventive patrolling and the other extraordinary tactics which transform the Negro ghettos into occupied territories. Otherwise there is every reason to believe that commonplace police actions will once again trigger full-scale riots there.

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American Military Government and the Education of a New German Leadership

JOHN GIMBEL
Humboldt State College

American policy plans and directives for the postwar occupation of Germany consistently envisioned a peaceful, democratic German society.[1] Nevertheless, neither the two major policy directives to the Military Governor nor the latter's interpretation of them shows how Americans planned to assist German democratic elements in recruiting and maintaining a new democratic leadership. Joint Chiefs of Staff directive 1067, issued in April 1945, discouraged fraternization with German officials as well as with the general population. It made only an innocuous reference to the eventual reconstruction of German political life on a democratic basis. JCS directive 1779, issued in July 1947, though more specific on democratic political reconstruction, envisioned a tranquil political arena marked by parties as voluntary associations, equal in privilege, competing regularly for the electorate's preferment. It directed the Military Governor not to discriminate between authorized parties and to seek uniform treatment for all parties.[2] General Lucius D. Clay's interpretation of his mandate,

[1] The most convenient survey of the many plans is in Paul Y. Hammond, "Directives for the Occupation of Germany: The Washington Controversy," in Harold Stein (ed.), *American Civil-Military Decisions: A Book of Case Studies* (University, Ala., 1963), 311-460.

[2] Both directives are printed in U.S. Department of State, Office of Public Affairs, *Germany, 1947-1949, The Story in Documents*, Department of State Publication 3556, European and British Commonwealth Series 9 (Washington, 1950), 21-41.

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in this respect, is perhaps best summarized in his own words: "Our policy was to maintain neutrality between German political parties [and] United States Military Government never deviated from its policy. . . ."[3]

There was never any doubt, however, that military government intended to reorient German public life through an extensive re-education program. The latter first focused on a program to convince Germans of their past guilt and on school reform: formal changes in curricular content and pattern, changes in relationships between elementary and secondary schools and between the latter and the universities; provision of free tuition and textbooks, and the like. The information program and the formal, educational approach soon expanded to include a more comprehensive program involving exchanges of persons, educational radio, America-House libraries and information centers, German-American clubs, and the like. It finally mushroomed to produce a myriad of activities: public forums, citizens' councils, taxpayers' associations, public discussion groups, and parent-teacher associations, all of which were promoted enthusiastically at the grass-roots level, especially after 1948.[4]

The Office of Military Government for Germany (hereafter, OMGUS) never connected its reorientation and political programs organizationally. Americans seem to have assumed that once the enemies of peace and democracy had been purged, once the socio-economic chaos of total war and defeat had been erased, and once the German public had been sufficiently reoriented and re-educated to demand responsible and responsive leadership as a basic citizens' right, the leadership question would solve itself.[5] Whether OMGUS was moved not to connect the two programs by the foregoing assumption, by the directives, by internal needs of OMGUS, by personnel deficiencies, or by some other consideration is not clear. It appears, however, that theory had some influence. Al-

[3] Lucius D. Clay, *Decision in Germany* (Garden City, N.Y., 1950), 293.

[4] See John Gimbel, *A German Community under American Occupation: Marburg, 1945-1952* (Stanford, 1961), for a discussion at length.

[5] See C. J. Friedrich, "Military Government as a Step Toward Self-Rule," *The Public Opinion Quarterly*, VII (1943), 527-41, especially 539: "The destruction of the Nazi sector will automatically revive the other, giving the latter opportunity to fill the vacuum created by the disappearance of the party."

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though the idea needs more study, it might be suggested that a Jeffersonian heritage, filtered through domestic populism-progressivism and conditioned by a frontier-environmentalist interpretation of the origins of American democracy, convinced American practitioners in Germany that true democracy requires leaders who arise "naturally" from among the sovereign people who select them subject only to certain minimum rules of the game. Thus, the idea that American military government (hereafter, AMG) might deliberately select a leadership group to nurture and project into the future was theoretically repugnant. Americans did, of course, select and appoint people, but that was an expedient only for the interim of the early occupation, and to get things moving.

It can be argued—and it has been with good effect—that the American political program and the reorientation effort possessed an inherent interrelationship that needed no formal connection. According to this view, denazification, demilitarization, decartelization, industrial deconcentration, and dismantlement each had its own internal causes and objectives, but all had in common the effect of removing from positions of power the establishment of the Nazi era. Paralleling the negative programs, AMG promoted institutional changes, especially in education, the civil service, land tenure, political parties, and electoral procedures. As with the negative programs, the reforms had multiple and diverse motives and purposes, but in common they reveal the desire to create a social, economic, and political environment conducive to a new democratic leadership. John D. Montgomery and Lewis J. Edinger seem to have accepted such a model as the unifying theme of their studies.[6]

Montgomery and Edinger each concluded that achievement fell short of promise. Montgomery, in his analysis of the artificial revolution on behalf of democracy, said the experiment lacked a clear theoretical foundation. He also believed that the program was insufficiently understood in the United States and abroad, and that the institutional changes did not attract new leaders in Germany and Japan. Edinger, more interested in the result than the process, suggested that the post-totalitarian elites are not fundamentally different from the earlier ones.

[6] John D. Montgomery, *Forced to be Free: The Artificial Revolution in Germany and Japan* (Chicago, 1957); Lewis J. Edinger, "Post-Totalitarian Leadership," *American Political Science Review*, LIX (1960), 58-82.

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In an earlier article, I suggested a reason for the absence of a conscious application of a theory of artificial revolution, which Montgomery found to be an important explanation for the artificial revolution's limited success.[7] Among other things, I tried to illustrate the dilemma inherent in any program that would achieve substantial socio-political change by moderate, peaceful methods. In addition, I noted that Americans had political interests in Germany that did not derive from their long-range ideal of a peaceful, democratic Germany, and that Americans did not distinguish clearly between their political interests and the minimum democratic essentials they wanted to achieve.

The purpose of this paper is to focus on aspects of the occupation that suggest two observations: (1) the protection of American political interests often assumed a higher priority than the democratization effort, and (2) the absence of a theory of artificial revolution may reflect the desire to preserve American political maneuverability. The two suggest a third: that AMG practices at times hampered and frustrated the kind of "natural" leadership it hoped would emerge during the occupation.

I

Potential, post-occupation leaders among the Germans were limited in their political options by the supreme authority the occupation powers assumed for themselves in the June 5, 1945, Berlin declaration. In the American zone, the options were conditioned by the combined effect of early elections and American political neutrality, which forced Germans into the political arena in search of public acceptance, justification, and leverage for eventual perpetuation. Faced with an Allied decision, Germans might accept it as their own, hoping to entrench themselves by deriving sufficient political power from the occupation. But politically neutral Americans offered little hope for active support. Furthermore, such acquiescence laid them open to charges of collaboration which hardly promised post-occupation popularity. Germans could, on the other hand, simply bow publicly to the superior power of the occupation and accept necessity for what it was. But that hardly

[7] "The Artificial Revolution in Germany: A Case Study," *Political Science Quarterly*, LXXVI (1961), 88-104.

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exemplified the firm, vigorous, and independent leadership the electorate might demand both during the occupation and afterward. They could, as some did, protest, resign, threaten to resign, or speak out in opposition to get themselves removed by MG, hoping thereby to gain popularity by their political martyrdom. They had at least one other alternative—they formed an institute and designed it to help promote their own political viability[8]—but the point is that if they capitulated on issues commonly accepted by Germans to be in their best interest, they were in fact the irresponsible, unresponsive political leaders the American grass-roots reorientation program tried to arouse Germans to identify and reject. In its broadest sense, the education of the postwar German leadership is the process by which Germans learned to live with, to choose among, to adapt, and to turn to their own advantage the alternatives open to them.

The cleavage between American and German interests never manifested itself in reality so sharply as this discussion implies. For example, Americans openly and forthrightly explained and rationalized, in idealistic terms, policy and practice rather obviously designed to achieve basic United States objectives. In case Germans disagreed, AMG justified its resort to restriction, control, and pressure as necessary to correct past German "deviations" or to ensure future German "normality." Thus, ideals were still the goal or the end. Germans explained and rationalized in the same way, but lacking power, they failed to manifest that approach as clearly as did the occupying powers. Bavarians, in the so-called potato wars, for example, effectively argued provincial Bavarian economic interest on the principle of a federal political structure that would provide guarantees against the rise of another Hitler. Established political leaders in the *Laender* argued against encroachment on their prerogatives by bizonal administrations in the name of federalism, constitutional responsibility, and electoral accountability. They argued against dismantling and reparations in the name of European recovery, European stability, and insurance against communism, with such conviction that—

[8] John Gimbel, "The Origins of the *Institut fuer Zeitgeschichte:* Scholarship, Politics, and the American Occupation, 1945-1949," *American Historical Review*, LXX (1965), 714-31.

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had they not been Germans—they might have testified with great success before U.S. congressional committees in favor of the Marshall Plan.

A more specific illustration of the way in which interests and ideals were intertwined is found in the attempts by certain *Laender* in the American zone to socialize or nationalize basic industries and to achieve labor codetermination through works-council legislation. General Lucius D. Clay, the American military governor (hereafter, MGO), used his power effectively to block or suspend such measures, but he explained his position in the most idealistic terms. No such action, he said repeatedly, could be taken by a city or a state. Local action would prejudice future decisions on German industrial organization and management at the national level. Only when the entire German people expressed itself freely and openly and democratically in favor of such policies would they be acceptable to AMG. Germans, on the other hand, argued that the implementing laws which the MGO rejected and suspended had been debated openly and freely at the city and state levels. They had been accepted by the democratically chosen representatives of the people, using democratic procedures. For AMG to approve them was both logical and democratic. There is no evidence at hand to indicate that either the American or the German spokesmen ever admitted that they could both have been ideally correct, given the "intellectual gerrymander" each had engaged in. The point is that Germans who wanted socialization and codetermination could have gotten it by democratic procedures, at least in Hesse and Berlin, if not elsewhere. American opposition could stall action locally and see them fail at the national level, without violating democratic procedure at that level.

Despite attempts by Germans and Americans to rationalize their interests in terms they thought more universally acceptable, conflict of interest did exist. The detailed case which follows is an attempt to illustrate that condition and to show by example the difficulty Americans experienced in trying to bring forth a democratically-based leadership at the same time that they tried to promote or protect social, economic, and political objectives of their own.

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II

The American MGO, in September 1945, demanded a degree of local and state self-government based on elections, constitutions, and the principle of political responsibility. Against the counsel of his political advisers, to the apparent consternation and over the protests of the appointed German agent-governments in the American zone *Laender*, General Clay ordered local elections to be held beginning in January 1946.[9] Clay explained the haste in a remark to James K. Pollock: "To learn to swim you have to get in the water."[10] There is, however, evidence that he was motivated by fear that rapid redeployment would deplete the local detachments of qualified staff, by his desire to reduce staff in the field and thus cut the cost of the occupation, and by his conviction that Germans should have a stake in postwar reconstruction. The January 1946 local elections were followed by elections to *Laender* constituent assemblies, by meetings of the assemblies, by ratification plebiscites, and by formal *Landtag* elections, all before the end of 1946.

By January 1947, the American zone *Laender* had been guided by a benign military government to establish the institutional framework within which a "natural" democratic leadership could be established and perpetuated. Lest there be doubts about AMG's benignity at this point, an exchange of cables between Clay and the War Department in October 1946 should be sufficient to dispel them. Washington had raised considerable objection to the draft *Laender* constitutions, especially to Bavaria's. Clay defended the constitutions, saying that they were drafted with AMG advice and consultation, that existing drafts were the best AMG could get and still expect successful ratification, and that the state constitutions could be reviewed again when a federal constitution was written. Should the War and State Departments still object, Clay—through Assistant Secretary of War Howard C.

[9] Clay to John J. McCloy, Sept. 16, 1945, in Department of Army Papers, National Archives, World War II Records Branch (hereafter, Army Papers), ASW 370.8 Germany; Laenderrat, Kurzbericht ueber die Sitzung vom 4.12.45, in Staatskanzlei, Wiesbaden, 1906/01. See, also, James K. Pollock, James H. Meisel, and Henry L. Bretton, *Germany under Occupation: Illustrative Materials and Documents* (Ann Arbor, 1949), 112-19.

[10] Clay, *Decision in Germany*, 88.

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Petersen, who was in Germany—asked that the issue be taken to the President.[11] Military government's assurance against abuse of these institutions by non-democratic elements took various forms: denazification and its attendant disabilities and disenfranchisement; AMG's review and supervision at every stage in the development itself; and the continued observation and control it exercised under the broad powers of the occupation, specified in the directive of September 30, 1946, and in General Clay's letters to the presidents of the constituent assemblies approving the constitutions for submission to the people for ratification.[12] The *Laender* governments that took office on schedule in January 1947 were characterized, perhaps as well as any government in an occupied region can be, by a "natural" leadership, democratically chosen and constitutionally responsible.

But while OMGUS encouraged and sponsored these political developments—the details of which are widely published[13]—it assumed an economic priority of increasing magnitude that eventually overshadowed and effectively nullified the political program. The origins of the economic priority are complex, but a few items are instructive. Early in July 1945, during negotiations on quadripartite occupation of Berlin, Marshal Zhukov made it clear that the former German areas to the east of the Oder-Neisse Rivers, which the U.S.S.R. had turned over to Poland for administration, would not supply food, coal, and raw materials for Berlin or, for that matter, for the Western occupation zones in Germany.[14] In the late summer and fall of 1945, French representatives in the committees, directorates, and councils of the Allied Control Authority blocked repeated proposals to form central economic administrations, while the French government sought on the diplomatic level to gain acceptance of its demands for annexation of the Saar, for detachment of the Ruhr and Rhineland from Ger-

[11] AGWAR to OMGUS, Oct. 13, 1946; OMGUS from Clay to AGWAR for Echols, Oct. 15, 1946; OMGUS from Petersen to AGWAR for WARSEC, Oct. 14, 1946, in Office of Military Government for Germany Papers, National Archives, World War II Records Branch (hereafter, OMGUS Papers), 177-1/3.

[12] Edward H. Litchfield *et al.*, *Governing Postwar Germany* (Ithaca, 1953), Appendix A and B.

[13] See, for example, Harold Zink, *The United States in Germany, 1944-1955* (Princeton, 1957).

[14] Herbert Feis, *Between War and Peace, The Potsdam Conference* (Princeton, 1960), 223.

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many, and for assurances that France receive highest priority for German coal exports.[15] In the meanwhile, German economic unity, provided for in the Potsdam Agreement and presupposed in the subsequent reparations agreements negotiated in Paris late in 1945 and in the level-of-industry plan approved in Berlin in March 1946, was at a standstill. Nevertheless, AMG pushed vigorously for economic unity as the key to the success of the Potsdam Agreement and its related reparations and level-of-industry programs.

Checked by the stalemate, apprised by intelligence of Soviet and French unilateral reparations removals, confronted with the effective surrender of former German agricultural lands to Polish control, and stymied by French vetoes over central administrations and economic unity, Americans proceeded pragmatically and urgently in a number of directions later in 1945 and early 1946 in search of solutions to break the impasse. They were troubled particularly by the continuing prospect of having to feed Germans and displaced persons under the "disease and unrest" provisions of JCS directive 1067 and by the dim prospect of German unity and implementation of the Potsdam provision that imports be a first charge against German exports. Americans were concerned that a low level of German production would have an adverse effect on all of Western Europe.[16] They were sobered, in Berlin and Washington, by a flow of reports, notably—but not exclusively—the level-of-industry and standard-of-living studies by Calvin Hoover in July and September 1945, and Byron Price's report to Truman in November 1945.[17] These studies and reports

[15] Clay, *Decision in Germany*, 109-11; Michael Balfour and John Mair, *Four Power Control in Germany and Austria. 1945-1946* (London, 1956), 123-24; Clay to McCloy, Oct. 5, 1945; McCloy to Clay, Nov. 23, 1945, Army Papers, ASW 370.8, Germany.

[16] See, especially, Harry S. Truman, *Year of Decisions* (Garden City, N.Y., 1955), 308-09; 496-97; and Feis, 253.

[17] Calvin B. Hoover, Economics Group, U.S. Group Control Council, to Director, Economics Division, Subj: Report of Economic Situation in Germany, July 2, 1945, Army Papers, SAOUS 091.3, Germany; Draft of Preliminary Report to the German Standard of Living Board, by the Working Staff of the Board on A Minimum German Standard of Living in Relation to Industrial Disarmament and Reparations, Sept. 10, 1945, OMGUS Papers, 149-2/3; Byron Price, Memorandum to the President, Nov. 9, 1945. OMGUS Papers, 177-2/3. See, also, B. U. Ratchford and William D. Ross, *Berlin Reparations Assignment: Round One of the German Peace Settlement* (Chapel Hill, 1947), 78-83.

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seemed to show that the JCS policy directive and the Potsdam Agreement, coupled with the postwar German realities, Soviet removals, and French vetoes, inevitably led to economic disaster in Germany, to serious economic difficulties in Western Europe, and to large and extended U.S. appropriations to prevent disease and unrest. The reports also raised a disturbing historical specter; the United States seemed to be caught in a situation reminiscent of the twenties, when American funds had indirectly paid German reparations. Americans were also motivated by a humane impulse, quickened by on-the-spot observations of the physical destruction in Germany and the socio-economic deterioration that it foreshadowed. Specifically, they were concerned by the prospects of conducting a peaceful occupation during a winter (or several winters) without proper housing, proper heat, or proper diet for the German population.[18]

In September 1945, on recommendation of the OMGUS Economics Division, the MGO decided to form a Council of Minister Presidents in the American zone. The *Laenderrat*, as the council came to be called by Americans and Germans alike, organized in two meetings on October 17, and November 6, 1945. By early December it had a permanent executive secretary, Erich Rossmann, a pre-Hitler Social Democrat. In June 1946 the addition of a *Direktorium* strengthened his position. General Clay personally had asked the *Laenderrat* to increase the powers of the executive secretary, and James K. Pollock, the regional government coordinating officer (hereafter, RGCO), virtually ordered it in May, after Bavaria had resisted in January and more seriously in March.[19] The *Laenderrat's* committees and its early functions reveal its predominant economic mission and bias. The agenda of its first meeting (proposed by AMG officials) concerned programs of inter-*Laender* economic relationships and zonal administration of the former national administrations of posts, communications, and railways.

[18] Clay to McCloy, April 26, 1945; June 29, 1945, OMGUS Papers, 410/3 and Army Papers, ASW 370.8, Germany; H. L. Stimson to Truman, July 4, 1945, Army Papers, OSW, 463.3 The OMGUS Papers contain many reports and observations, including those of Robert Murphy, Lewis Douglas, and Goldthwaite Dorr.

[19] Pollock to Clay May 20, 1946, OMGUS Papers, 39-3/11; Dritte interne Laenderratssitzung . . . 27 Mai 1946, in Staatskanzlei, Wiesbaden, 1806/01.

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III

For the present discussion, the details of the *Laenderrat*'s activities are less important than the fact that the experience in intra-zonal economic coordination was rapidly transferred into an inter-zonal American project.[20] On February 6, 1946, American zone German officials met with a few of their British zone counterparts in Stuttgart for exploratory discussions on economic uniformity in the two zones. They compared observations and shared information on zonal administrative structures. On February 26-27, 1946, food and agriculture ministers and economics ministers of the two zones met in Frankfurt. On February 28, the minister presidents themselves met in Bremen. On April 3, a full delegation of American and British zone minister presidents and other officials met in Stuttgart to discuss a variety of subjects related to economic cooperation and coordination. The meetings were sanctioned by AMG; there is indirect evidence that they were in fact inspired by the American RGCO, and direct evidence that they were reduced in number on request of the RGCO.[21]

A full account of the inter-zonal meetings cannot be given here. It appears, however, that their promise has some relationship to General Clay's May 26, 1946, cable to the War Department in which he reviewed the economic situation in Germany, reparations, the Ruhr-Rhineland problem, the recommendations on central agencies and a provisional government, and suggested that, in the absence of quadripartite agreement on these problems, the American and British zones should join for economic purposes.[22] What happened to Clay's recommendation is not as puzzling as he suggests in his book. As a matter of fact, Clay wanted to hold a press conference in June to reveal and discuss its contents. He was advised from Washington not to do so, because Secretary of State James F. Byrnes planned to use much of the cable's contents in his presentations at the Council of Foreign Ministers meeting in

[20] The official history of the *Laenderrat* is Lia Haertel, *Der Laenderrat des amerikanischen Besatzungsgebietes* (Stuttgart, 1951). For a brief account in English, see Heinz Guradze, "The *Laenderrat:* Landmark of German Reconstruction," *Western Political Quarterly*, III (1950), 190-213.

[21] Rossmann to RGCO, April 6, 1946; Pollock to Rossmann, April 5, 1946, in Laenderrat Papers, Bundesarchiv, Z1/14.

[22] Clay, *Decision in Germany*, 73-78.

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Paris.[23] Thus, in a sense, Byrnes' July 11, 1946, invitation to the other occupation powers to join their zones with the U.S. zone in economic cooperation had originated in Berlin as early as May 1946 and in the American zone somewhat earlier than that.

Given the blessing of the Secretary of State, and upon acceptance of the invitation by the British government, economic fusion of the U.S. and U.K. zones of Germany moved rapidly. In August and September 1946, officials of the two zones negotiated agreements creating bizonal agencies in the fields of economics, food and agriculture, transport, finance, and communications. The U.S.-U.K. government-level financial agreement arising from the bizonal cooperation in the field produced the Bevin-Byrnes Bizonal Fusion Agreement of December 2, 1946, effective January 1, 1947.

The agreements establishing the five bizonal administrations, signed separately as contracts during September and October 1946, were negotiated under severe pressure from military government to move rapidly in the interest of progress rather than perfection. Americans insisted that Germans themselves draw up the agreements and sign them. Despite the latter, the minister presidents of the American zone received only a brief comment on the project from General Clay on August 6. General C. L. Adcock, the assistant to the deputy MGO (Clay), and General William H. Draper, the director of the economics division of OMGUS, presented the details to the *Laenderrat Direktorium* in Stuttgart on August 12, just three days after United States-United Kingdom agreement had been reached in Berlin. Adcock and Draper brought American functional experts to the briefing session and asked Germans to begin discussions immediately after presentation of the plan. Adcock said the contract for food and agriculture should be ready for submission to Berlin in two weeks, for transport in three weeks, and for the other agencies with comparable dispatch.[24]

The demand for speed is extremely significant. It illustrates the urgency of the American attempt to break the economic impasse of 1945-46, and it demonstrates the power of AMG's economic

[23] AGWAR to OMGUS for Clay, June 14, 1946, OMGUS Papers, 211-3/5.

[24] RGCO, Speech of Lt. General Lucius D. Clay . . . Laenderrat . . . Aug. 6, 1946, in Geiler Nachlass, Staatsarchiv, Wiesbaden; RGCO, Speech of Major General Adcock . . . Laenderrat Directorate on Aug. 12, 1946; RGCO, Address by General Draper . . . Aug. 12, 1946, OMGUS Papers, 34-2/11.

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priority. It also explains why German political leaders got so little satisfaction when they expressed fear that the proposed bizonal administrations threatened the projected *Laender* governments. General Draper's remarks to the *Direktorium* on August 12 were the cause for German concern. Draper said he expected the bizonal administrations to take day-by-day actions, that they would have executive officers "to carry out decisions for both zones," and that generally they would function administratively with little or no legislative control. There was no bizonal legislature, and creation of one was expressly prohibited by military government. The *Laender* of the American zone, however, were establishing legislatures amidst much propaganda about the tremendous progress toward German self-government being made by Americans in their zone in contrast to the other occupying powers in theirs.

The contract establishing the Bizonal Economics Administration (*Verwaltungsrat fuer Wirtschaft*), signed in Frankfurt on September 11, 1946, translated General Draper's ideas into administrative and institutional reality.[25] The administration, to be located in Minden, Westphalia, was empowered to issue directives to all participating *Laender* and existing administrative agencies in the American and British zones. It could issue directives on foreign trade, production, distribution, internal trade, price controls, industrial standardization, statistics, and more, the only apparent limitation being existing and future quadripartite agreements. Of crucial importance was the contractual provision that the *Laender* were obliged to carry out the decisions of the Executive Committee for Economics and that the latter was empowered to control the execution of its decisions and regulations through its own administrative agency.

One of the leading participants in the economic agreement's negotiation, Heinrich Koehler, the Wuerttemberg-Baden economics minister and deputy minister president, stated later that he was surprised when he learned that the agreement establishing the Executive Committee for Economics did not give it a mandate to

[25] A copy of the agreement is in the Staatskanzlei, Wiesbaden, 1do2. See Walter Vogel, *Westdeutschland, 1945-1950*, Teil II (Boppard am Rhein, 1964), 123, n. 2, for a description of the contract's origin and approval and a commentary on the agency's proper title.

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legislate.[26] He said the thought that the committee might not have legislative power never came up in discussion. On the contrary, Koehler had formed the opinion at the time that special legislative authority would be granted to the bizonal agencies, and he was continually strengthened in this view by representatives of military government. The negotiators were of the opinion that directives (*Gesetze*) agreed by the Executive Committee for Economics would have to be promulgated *(veroeffentlicht)* by the *Laender*.[27]

Several Germans and at least one American observer raised the question of the relationship of the bizonal agencies to the scheduled American zone constitutions and governments. General Draper got the question from the Bavarian representative on August 12, but referred it back to the Germans. The RGCO, Colonel William Dawson, heard the same question from a German delegation immediately after their meeting with Draper and Adcock on August 12. Two days later, Dawson reported it to Adcock and raised similar questions on his own accord. Adcock answered with a long letter on August 19. He explained that the *Laenderrat* would still have an important role, but referred to its temporary character. Adcock's answer and a host of other attempts at clarification did not satisfy the minister presidents and the German politicians in the American zone, for they had been led to believe that they were on the way toward at least *Laender* responsible government. The documents contain the statement that bizonal economic unification would set the American zone back eighteen months politically.[28]

General Clay, whose grasp of political reality was often uncanny, had sensed the coming problem as early as July 1946. Writing to his British counterpart, General Sir Brian Robertson, on July 21, 1946, about possible bizonal merger, he noted that "somehow in the picture I have to preserve the political structure in our zone and protect the delegated policy [*sic*] which we have

[26] Koehler was referring to a Jan. 10, 1947, resolution of the justice ministers of the American zone to the effect that the inter-zonal agencies had no authority to legislate. The resolution is in General Sekretariat, Laenderrat, to RGCO, Jan. 20, 1947, with enclosed translation of resolution . . . 10.1.1947, OMGUS Papers, 37-2/1.

[27] Interne Laenderratssitzung am 22.1.47 . . . Staatskanzlei, Wiesbaden, 1906/01.

[28] RGCO to Adcock, Aug. 14, 1946, OMGUS Papers, 2-2/1; Adcock to Dawson, Aug. 19, 1946, OMGUS Papers, 150-2/3.

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given German officials. This may offer some problem in perfecting administrative detail but I am sure that it is one we shall be able to settle."[29] In retrospect, some six years later, Edward Litchfield, the former director of the OMGUS Civil Administration Division, wrote that the U.S. zone *Laenderrat* was an agency-government at its inception, that its laws were

> in fact military government legislation prepared and issued by and in the name of designated agents of the occupation. Later this was to become . . . confused when the ministers-president became duly elected public officials with constitutional mandates from the German people. Their dual legal capacity during this period was not only puzzling but also politically embarrassing.[30]

Early in January 1947 the political developments in the American zone *Laender* and the economic developments in Bizonia converged to produce one of the major clashes between AMG and the potential German leadership. The Bevin-Byrnes Bizonal Fusion Agreement of December 2, 1946, became effective on January 1, 1947, and the *Landtage*, minister presidents, and *Laender* cabinets began their official functions at the turn of the year.

IV

On January 8, 1947, on occasion of his regular visit to the *Laenderrat* in Stuttgart, General Clay explained in detail the relationship of the bizonal administrations and the new political institutions as OMGUS interpreted them.[31] In briefest summary, the issue boiled down to two questions with many ramifications: (1) could the minister presidents (duly elected and constitutionally responsible to their *Landtage)*, as members of the *Laenderrat*, legislate by decree in those areas that required zonal and/or bizonal legislative uniformity, and (2) could a *Land* cabinet minister (for example, the minister of economics), as a member of the bizonal Executive Committee for Economics, issue directives and regulations with the force of law to his own minister president without *Landtag* sanction?

[29] Clay to Robertson, July 21, 1946, OMGUS Papers, 166-2/3.

[30] Litchfield, "Emergence of German Governments," in Litchfield *et al.*, 27.

[31] RGCO, Speech by Lt. General Lucius D. Clay . . . 8 January 1947, Laenderrat Papers, Bundesarchiv, Z1/15.

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Clay's explanation—extremely interesting for its own sake—proved no more satisfying to Germans than had numerous previous attempts by lesser officials. The minister presidents, with various assistants and consultants, sought clarification in a closed session of the *Laenderrat* immediately after Clay's formal presentation. But the meeting ended in general confusion, which a German source (apparently Rossmann) diplomatically attributed to a probable "poor translation" of Clay's speech.[32] That it was more than a problem of language is evident from what followed. The minister presidents took up the issue with their cabinets and *Landtag* factions; it was a central issue in closed *Laenderrat* and *Direktorium* meetings on January 22, February 11, and February 13; it was the predominant theme of an American zone-British zone minister presidents' conference held in Wiesbaden on February 16-17; and it was the subject of much disagreement and discussion within OMGUS itself.

The first resolution of the Wiesbaden conference was a request that military government authorize the minister presidents and the chairmen of the bizonal administrative agencies to meet in Stuttgart on February 28. Though it is not stated in the resolution, there is much evidence that they sought means to undergird and coordinate the bizonal administrative agencies with a legislative council. Secretary Rossmann's letter of February 19, 1947, enclosing the Wiesbaden resolution and requesting approval for the meeting, is in the OMGUS papers. Attached to it is a memorandum of a telephone conversation between General Clay and Colonel Winning, the acting RGCO. The memorandum records that Clay said No, and that he wanted to talk with the minister presidents.[33]

The conference between Clay and the American zone minister presidents was held in Berlin on Sunday, February 23, 1947.[34] It touched on several topics, but the question of bizonal-*Laender* relationships overshadowed all others. It was not clear whether the minister presidents had power to issue laws, decrees, and directives without consulting their parliaments, whether the *Landtage* had the power to reject decisions of the bizonal administra-

[32] New York *Times*, Jan. 10, 1947.

[33] In OMGUS Papers, 34-2/11.

[34] Conference of . . . Clay and minister presidents, Feb. 23, 1947, . . . OMGUS Papers, 99-1/15.

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tions or the minister presidents acting in the *Laenderrat* as agents of military government to implement bizonal decisions. Reinhold Maier, the minister president of Wuerttemberg-Baden, summed up the sentiment of the minister presidents by reporting a sense of confusion that threatened to halt the entire legislative process in the *Laender.*

General Clay, obviously determined to achieve a settlement, outlined U.S. attempts to get central administrations and economic unity. He said frustrations motivated OMGUS to form states in the American zone and to push for bizonal fusion. But, he continued, the minister presidents' plan to achieve political coordination over the bizonal agencies, though desirable in itself, must be set aside. Alluding to the impending Council of Foreign Ministers' meeting in Moscow, Clay said the economic agencies must be made to work, for the time being, without a political apparatus.

Clay emphasized that they *must* be made to work. He asserted that he had a heavy responsibility to the American taxpayer; the United States had already committed $40 million to further German industrial development, and OMGUS had asked the U.S. Congress to appropriate another $300 million for bizonal food purchases. In return, OMGUS must show Congress that it is developing industrial capacity in Germany, and Clay said that such demonstration depended upon economic union of the two zones.

> We . . . cannot . . . , after having determined something is essential to the economic revival of Germany . . . , submit the question to a State Parliament. We would be in the impossible position of either having to disapprove the action of a State Parliament or else having desirable uniform laws not passed because one Parliament refuses them . . . .

Returning to the same topic later in the meeting, Clay continued:

> We cannot permit a proposal to be defeated by one parliament which is absolutely essential to the success of our economic program, and I certainly don't want to be in the position to have to disapprove a parliamentary act. I am sure it is more democratic never to submit that act to parliament.

Let it be said that Clay realized immediately how far the rapid exchange and rather tense situation had carried him. He suggested that perhaps the topic had been exhausted, unless someone else

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wanted to add something. Thereupon, the discussion turned to less controversial items.

At an RGCO liaison officers meeting on February 27, 1947, the American officer from Bavaria commented that the Germans who came back from Berlin were confused. Nevertheless, Christian Stock, the minister president of Hesse, reporting to his cabinet on February 26, seems to have grasped the meeting's significance. Final disposition of the problem must await the results of the Moscow conference, he said. In the meantime, it is clear that the *Laender* governments should not hinder the bizonal agencies. Germans must work for harmony among the *Laender*, the agencies, and military government. The meeting requested by the Wiesbaden minister presidents' conference would not be held.[35]

On March 1, 1947, a revision of Military Government Regulations stated that "at every level of government, legislative power is subject to the superior authority of Military Government, the Control Council, the Bizonal Agencies, and of any other authority which may later be established by the Control Council or by Military Government." OMGUS Proclamation No. 4, issued the same day, listed international agreements, quadripartite legislation, and "powers reserved to Military Government in order to effectuate basic policies of the occupation" as limitations upon the constitutional governments of the *Laender*, thus repeating by proclamation what Clay had written in letters to the presidents of the constituent assemblies of the American zone late in 1946. The proclamation stated further that legislation in the reserved fields, when approved by OMGUS and promulgated by the minister presidents, had the force of law as it had had prior to the establishment of constitutionally-elected *Landtage* and minister presidents.[36] On March 12, 1947, the chairman of the Bipartite Economic Control Group notified the chairman of the Executive Committee for Economics that "no authority exists in German Civil Government which can issue a law binding on both Zones"

[35] RGCO, Liaison Meeting, Feb. 27, 1947, OMGUS Papers, 39-2/11; Beschluss-Protokoll ueber die Sitzung des Kabinetts . . . Feb. 26, 1947, Geiler Nachlass, Staatsarchiv, Wiesbaden.

[36] OMGUS, Subj: Revision of MGR Title 5, Section B, "German Legislation" AG 010.6 (LD), March 1, 1947, OMGUS Papers, 32-1/11; U.S. Department of State, *Germany, 1947-1949*, pp. 157-58.

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and that the bizonal agencies can only recommend legislation to the two military governments. The latter will promulgate the appropriate legislation, each in its own way.[37]

V

The foregoing case is one of several that permit the suggestion that AMG, in following its political interests, never made a clear decision as to whether it wanted to establish an "agent-type" or a "natural-type" leadership in Germany. As issues and problems arose, AMG shifted ground and oscillated between the two options, preferring pragmatic solutions to a rigid principle of leadership selection. Americans obviously hoped or expected to have it both ways in the end: a "natural," democratically-based, constitutionally-responsible leadership that generally supported American policy and accepted the same definition of necessity that Americans did, even though they might disagree on details. In contrast to this example, both before and after 1947, AMG often made important concessions to German leaders and interests, sometimes even championing German interests against decisions from Washington, London, or Paris. This was particularly true in the negotiations leading to the formation of the West German government; to the 1947 bizonal level-of-industry plan and its related dismantling program; to German participation in the European Recovery Program; and in negotiations on the reserved powers in the occupation statute. To prove the point that political interests had priority, however, Americans made few or no concessions to German views on currency reform and equalization of burdens, on socialization and/or nationalization of industries, on codetermination, and on works council legislation.

Given the pragmatic, issue-by-issue approach, the question of the type of leaders Americans wanted to perpetuate remained submerged until it simply disappeared. How and when it disappeared is beyond the scope of this paper, but any discussion of the subject would have to give prime consideration to U.S. domestic politics after the congressional elections of November 1946; to the quest for German and European economic rehabilitation, especially after the Council of Foreign Ministers' meeting in Moscow in

[37] See letter in Vogel, 379.

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1947; to the role Germany played in the Marshall Plan; and to the effect of the Soviet determination to resist these developments both on the diplomatic level and in Germany. During 1947 and 1948, when Germany came to be regarded as the key to Western European stability, and when the U.S.S.R. was described as a potential threat, Germans and Americans drew closer together on the larger issues and agreed on a common definition of European problems, threats, and solutions, leaving disagreements only on details, not principles.

The German leadership that emerged was thus neither clearly an agent leadership nor a natural leadership. It was rather a moderate, pragmatic establishment which, faced with the cold war and with the reserved powers of the occupation—some of which still exist in fact, if not in name—followed its own interests when it could, gave in to necessity when it had to, and displayed considerable faith in progress and in the future. With the Nazi party dead as an effective political body, with communism suspect in Western Germany as a political force, and with an occupation statute that empowered the Allied High Commissioners to hedge in German political leaders, the moderate course of German political history was assured for the time being after 1949. American reorientation continued seriously and directly until 1952. Its major effect, however, seems to have been to delight and thrill its promoters and participants who thought it might have some long-run effect on the nature of German leadership, and—aside from certain features of it—to annoy and disturb the existing pragmatic, practical, German leadership with whom the High Commissioners and their field representatives dealt on matters of vital interest.

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Jean Bodin on Taxes: The Sovereignty-Taxes Paradox*

MARTIN WOLFE
University of Pennsylvania

What did Jean Bodin really intend to accomplish in writing his masterwork, the *Six Books on the Republic?* Several facets of this problem are still being debated by specialists in the history of political thought, but most would agree that his main purpose was to demonstrate that strong monarchy is the best of all forms of government, and that monarchy functions best when there are no limitations on the king's law-making functions except the king's own recognition of the guides imposed by natural and divine law. Bodin was the first to see clearly that the essence of a state is its sovereign power, and that sovereignty, while possessing many attributes, is most clearly marked off by the ability to "impose laws generally on all subjects regardless of their consent." Does this include the power to raise taxes on the monarch's own authority? Apparently not, though Bodin definitely names the taxing process as one of the aspects of "making and unmaking law"[1] and therefore as one of the "unique attributes of sovereign power"; and he emphatically denies the power to tax to all but the king. In an often-quoted passage, however, Bodin lays down the rule that "it is not within the competence of any prince in the world to levy taxes at will on his people," and he admits that parliaments must be allowed to "agree and consent" to all "extraordinary taxes or subsidies," by which he means any revenues

* Parts of this paper were read to the Middle Atlantic Conference of the Renaissance Society of America at the University of Delaware, Oct. 29, 1966.

[1] *Les six liures de la Republique de I. Bodin Angevin* (Paris, 1580), 223.

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beyond the crown's traditional and patrimonial income. Here and in other passages where Bodin discusses the fiscal system it is clear that he does indeed believe that laws passed for the purpose of increasing the burden of taxes or even for continuing previous taxes must be subject to the consent of the Estates-General and of other representative institutions.[2]

Several scholars have tried their hand at explaining Bodin on taxes. Beatrice Reynolds feels that his apparently contradictory views demonstrate an extremely important fact about his general philosophy: that for all his emphasis on integral sovereignty Bodin was at heart a proponent of limited monarchy.[3] Roger Chauviré's position is that Bodin believes an Estates-General by its very nature to be respectful and loyal, unlikely ever to refuse the king anything within reason.[4] M. J. Tooley holds that for Bodin the state exists to provide a proper moral climate as well as to furnish the machinery for efficient government; since taxation can be used as an instrument for moral discipline it is proper for the king to resort to extraordinary imposts (especially on luxuries), though presumably these as well as other taxes had to be subject to approval by the Estates.[5] Friedrich Meinecke holds that there is no inconsistency here in Bodin's theory, since Bodin does allow the king the power to raise money on his own authority in an emergency.[6] In William Church's important work on Renaissance constitutional thought the point is made that Bodin extracted taxation from the sphere of sovereign power because taxation affects property rights and property rests on natural law, not human law.[7] J. W. Allen suggests that Bodin on taxes simply is inconsistent with Bodin on sovereignty.[8]

[2] *Republique*, 140, 244-45.

[3] Beatrice Reynolds, *Proponents of Limited Monarchy in Sixteenth Century France: Francis Hotman and Jean Bodin* (New York, 1931), 176, 185-86, 199-200.

[4] Roger Chauviré, *Jean Bodin, auteur de la 'République'* (Paris, 1914), 447-48.

[5] M. J. Tooley, *Six Books on the Commonwealth, by Jean Bodin* (New York, 1955), xxi, xxxvi-xxxviii.

[6] Friedrich Meinecke, *Machiavellism: The Doctrine of Raison d'Etat and its Place in Modern History* (London, 1957), 58.

[7] William F. Church, *Constitutional Thought in Sixteenth-Century France* (Cambridge, Mass., 1941), 234-37. See, also, Henri Baudrillart, *J. Bodin et son temps* (Paris, 1853), 274-75.

[8] J. W. Allen, *A History of Political Thought in the Sixteenth Century* (London, 1928), 419-21. For a more general discussion of internal contradic-

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I would like to present another view for consideration. There is indeed a contradiction in the theoretical components of his ideal state, but Bodin had another purpose than discovering the universal rules of government and formulating them in a consistent fashion. In writing on taxes especially, Bodin's main aim was to convince the crown that substantial reforms in the fiscal system were desperately needed in order to keep the country from being destroyed by the religious wars.

For our purpose it is important to emphasize that Bodin was more than a detached philosopher. In 1571, when he was already well known as the author of several works on jurisprudence as well as the famous *Method for the Easy Comprehension of History* (1566) and the even more renowned economics treatise, *Reply of Master Jean Bodin . . . to the Paradox of Monsieur de Malestroict* (1568), he took a post as privy counselor to the duke d'Alençon, a younger brother of the king. Alençon at the time was being courted enthusiastically by the moderate faction in France, a group later known as *politiques*, whose position can be defined roughly by stating that they believed national security and internal order to be more important than crushing the Huguenots and restoring France to one faith. A known moderate, Bodin narrowly escaped being butchered in the St. Bartholomew's Eve massacre of 1572.[9] Bodin's standing in court circles improved in 1574 when Henry III came to the throne; whatever else may be said about him, Henry III appreciated brains and intellectual courage. We know that on a few occasions the king invited Bodin to dine with him and to discuss problems of philosophy. Bodin enjoyed the high regard of many of his countrymen, too. In 1576, the year the *Republic* was published, he was elected a deputy to the crucially important Estates-General at Blois and played a major role there in the debate over taxes; in fact, for part of these meetings he functioned as *président* (speaker) for the Third Estate.[10] On this occasion he strongly resisted the crown's demand that the Estates-

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tions in the political theory of the *Republic*, see George Sabine, *A History of Political Thought* (New York, 3d ed., 1961), Chap. XX.

[9] Chauviré, 35 and n. 3.

[10] *Relation iournaliere de tout ce qui s'est negotié en l'Assemblée Generale des Estats . . . en . . . Blois . . . de M. I. Bodin . . .* (Paris, 1614), 20 r°; 24 v°-25 r°; 31 r°; 40 r°.

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General support the king's attempt to raise more revenues; this may have cost him further advancement.[11] He remained an adviser to Alençon, however, and accompanied him on a voyage to England at the time the duke was engaged in an elephantine flirtation with Queen Elizabeth I. Though the door to royal advancement was shut to him, Bodin continued to share with the king the conviction that strong monarchical government must be preserved and that it could be preserved if only the right formula could be found to keep the country's disruptive forces in check.

Six Books on the Republic attracted an enormous amount of attention when it appeared; it was published in no less than eleven editions in French, three in Latin, and one each in Italian, Spanish, and German, all while Bodin was still alive.[12] We know it had a crucial role in laying the foundations for the discipline of political science, just as his earlier *Reply to . . . Monsieur de Malestroict* heralded the birth of the sort of reasoning we call political economy. Though Bodin has a good deal to say on taxes, however, no one has ever claimed him as a founder of the science of public finance. The reason is all too obvious. Bodin's concept of how a well-managed fiscal system should operate seems curiously backward, and some of his proposals for reforming the French tax machine of his time seem strangely out of touch with reality.

I

Reference to taxes and suggestions for fiscal reform are scattered throughout the *Republic*, but the first three chapters of Book VI obviously constitute what Bodin regards as his important statement on public finance, here or in any of his writings. These three chapters, though, are quite different one from the other in scope and goal. The first is a quaint attempt to show that tax reform might be combined with a basic state-directed improvement in private morals, through establishing a censor in, as Bodin believed, the ancient tradition. The third chapter is a sort of addendum to Bodin's great work on price fluctuations and money, the *Reply . . . to Monsieur de Malestroict*. It demonstrates in a forceful way

[11] *Ibid.*, 21 v°-23 r°; 38 v°-39 r°. See also Chauviré, 66-68. In editions of the *Republic* after 1577, Bodin refers to this: in the 1580 edition, 485-86.

[12] See the list in Chauviré, 517-18.

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the social and political as well as the economic evils of debasing money.[13]

Chapter 2 of Book VI, "On Public Finances," is Bodin's most important fiscal work for its arguments and for its relative length —in the 1580 edition it takes up fifty-eight of 1,060 pages. He begins this chapter by explaining that he is not concerned with the whole sphere of taxation, but only with "honest" revenues. There are plenty of "great experts on tax affairs," he says sarcastically, who know all there is to know concerning gouging money from the people in every conceivable manner. But Bodin is more interested, he says, in the common weal than in expediency. There follows a most surprising listing of what he calls "the seven sources of revenues which include all the possible sources that one can well imagine."[14] Item one is the royal traditional and patrimonial income, the *domaines* (that is, the crown's own rents, fines, seigneurial fees, and tolls); these Bodin emphatically regards as the most legal or "honest" source of funds, and he drags up massive humanist artillery to prove how, from the ancient Hebrews on, in well-ordered states part of the ruler's income had always been set aside to satisfy the needs of government. Items two through five strike us as hardly worth mentioning; he discusses income obtained through foreign conquest, through gifts from friends, by pensions from allies, and by the prince himself engaging in commerce. Tariffs he lists as revenue item number six; and *all* the main imposts on France, both direct and indirect—the *tailles*, excises, salt taxes, clerical tenths, and so on—are lumped together as item number seven.[15]

What is Bodin's purpose in presenting such a bizarre categorization? When he solemnly informs us that great kings of ancient Persia often lived from "voluntary presents," is he seriously suggesting that this is possible in late sixteenth-century France?[16]

[13] Beatrice Reynolds points to another contradiction in the theory of the ideal state here; in Book VI, Chap. 3, Bodin wants "the value and weight of money [to] be fixed, by means so secure that neither prince nor subject could alter it, even if he wished," while in Book I, Bodin places coinage among the attributes of sovereignty. *Proponents*, 169, 172.

[14] *Republique*, 856 ff.

[15] But in another place, p. 879, Bodin has the *tailles* as "ordinary." However, in this connection he seems to mean "ordinary" in that they were regular or annual, in contrast to "casual," that is, taxes raised only occasionally.

[16] *Republique*, 869.

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Does he really expect the haughty kings of France to go into trade?[17] Do we have here merely a scholastic attempt to be exhaustive? Or (and this seems more likely) is Bodin suggesting that, since the crown has seven sources of income, it is feasible to reduce or even abolish the most bothersome of them, that is, the chief imposts? If this is correct, it is a rather unrealistic device, since all persons with some understanding of the realities of royal revenues (and this includes Bodin, who tells us himself that he was given access at times to the records of the Chambre des comptes)[18] certainly understood that the chief imposts in this era made up between two-thirds and four-fifths of royal income.[19]

Another element of an old-fashioned outlook on taxes in Bodin is his passionate opposition to any form of usury—so much so that he demands that the state refrain from borrowing at interest, no matter how reasonable the rate.[20] Again, writing in the hectic and expensive early years of Henry III's reign, he presumes to suggest that current deficits could be met in large part by increasing fines on wrong-doing—with the additional advantage, according to him, of raising the moral tone of the nation.[21] Perhaps with tongue in cheek, he advises the crown to tax judicial trials in order to dampen the enthusiasm of the French for suing each other.

Is it possible that such a keen observer could not understand that the modern state—that entity to the definition of which he contributed so much—was so vastly expensive to operate that it could never get along on the tiny and erratic resources he allowed it? Perhaps he could, but in fact he goes to considerable lengths to give the contrary impression. A large portion of Chapter 2, Book VI, "On Public Finances"—twelve pages out of fifty-eight—is taken up with arguing that the royal *domaines* could, with proper management, support not only the royal household but

[17] *Ibid.*, 873-74, 892.

[18] *Ibid.*, 905, 911. See, also, Beatrice Reynolds, *Method for the Easy Comprehension of History*, by John Bodin (New York, 1945), 256-57.

[19] J. J. Clamageran, *Histoire de l'impôt en France*, 3 Vols. (Paris, 1867-76), II, 196-98, 244. And see Bodin's own contemptuous treatment of those so impractical as to dream of cutting back revenues to the days of Louis XII (around 1500): *Republique*, 882-83.

[20] *Republique*, 893 ff. See, also, Paul Nancey, *Jean Bodin, économiste* (Bordeaux, 1942), 239-44.

[21] *Republique*, 887-89; see, also, 840.

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also all the legitimate expenses of government, at least in normal years.[22] Bodin recognizes that virtually all the *domaines* had been sold off to meet past emergencies or to satisfy the demands of greedy courtiers; but his reaction to this situation was to complain that such grants had been illegal, since the *domaines* are not the crown's property to sell or give away; they are, so to speak, brought by the nation to the prince at the time of the coronation ceremony "like a dowry to a husband" to pay for both court expenses and "la chose publique."[23] Bodin brings up here some decidedly unconvincing figures to support his contention that if these traditional and proprietary revenues were all purchased back by the crown and handled in a businesslike fasion they would remove the need for taxation.

It is certainly true that in order to understand Bodin on taxes one must appreciate his position on the role of private property in society. This position is developed not in Book VI, but in earlier chapters on the family, property, and sovereignty. For Bodin, property rights are the glue that holds a successful commonwealth together. The middle ages viewed commonwealths as networks of mutual obligations and rights, networks formed by individuals and groups such as guilds, towns, and even larger associations like Estates, for their own protection and profit. But for Bodin a commonwealth is not an association of individuals or of these larger groups, but of households. Bodin sees the family as a "natural" unit; it existed before the first state and will outlast any and all of them. Therefore the family and things that nourish it belong to the area of natural law, not to be touched by any mortal, even the sovereign himself.

And it is property and property alone, according to Bodin, that binds the family together. It is his control over property that enables the head of the family to feed, clothe, and shelter the individuals in his family; and the father's ability to withhold sustenance from unworthy persons in the family is society's best deterrent against crime and immorality. This means that private property is not so much an institution in society as its very foun-

[22] Bodin apologizes here for not writing even more on the *domaines* and refers to a large and valuable recent work on the subject by his friend René Choppin.

[23] *Republique*, 859, 863.

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dation. Since a commonwealth is a government over families, undermining property rights is, in effect, destroying the state. It follows that private property cannot be taken by the state except through carefully-defined legal processes or by the freely given consent of the owners. Appropriating property through arbitrary taxation, therefore, is illegal; and when a sovereign relies on this form of income he is in effect working for his own downfall. The power to tax is indeed the power to destroy—to destroy the whole commonwealth.

When the king is moved by "urgent necessity" to ask his subjects for part of their property, therefore, he bears an awesome responsibility. In recognition of the seriousness of such a step he must consult the peoples' representatives in local or national assemblies. Bodin carefully explains that the use of such parliaments in no way reduces the powers of the ruler; rather, sovereign power is enhanced when the people voluntarily associate themselves with it. The ruler of England, for example, is no less sovereign when he asks his parliament for tax grants.[24]

Bodin does not take up the problem of "the power of the purse strings," by which parliaments can use their control over taxes to force favors from the crown and so increase their powers in other, non-fiscal areas, thereby still further reducing the exclusive sovereignty of the monarch. Bodin does recognize, however, that such a phenomenon exists; and (in his section on how the king, though above laws, must honor contracts to which he is a party) he comments on the fact that in Castile the crown has made concessions to the Cortes in order to obtain tax grants. Even more disturbing is the problem of what is to happen when a parliament refuses outright the crown's demand for more revenues. Bodin never really faces up to such a shattering dilemma, but he must have realized that long before his time the French state had reached the point where stopping the flow of income from the chief imposts for even a few months would have brought collapse. Unless Bodin's ideal state is to have no relevance to the real world, it cannot have both a monarch as sovereign as Bodin says he must be and a parliament participating in the levying of taxes.[25]

[24] *Ibid.*, 139-40. See, also, Church, 235 and n. 114; Philip Dur, "The Right of Taxation in the Political Theory of the French Religious Wars," *Journal of Modern History*, XVII (1945), 297.

[25] In Book I, Chap. 10, Bodin says, "If the prince can only make law with the consent of a superior he is a subject; if of an equal he shares his sover-

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It seems clear that Bodin did not want what we think of as a limited monarchy. At one point he states emphatically that "When edicts are ratified by Estates or parliaments, it is for the purpose of obtaining obedience to them, and not because otherwise a sovereign prince could not validly make law."[26] Bodin specifically rejects the radical notion, then coming into some prominence, that sovereign power is derived from the people, who implicitly or explicitly delegate it to the king. He denies that "consent plays any part whatsoever in the obligations to obey." Bodin's king must be the unique possessor of indivisible power; Bodin is fond of saying that a sovereign prince who is subject to check by a parliament is neither prince nor sovereign. Internal consistency in political theory on sovereignty and taxation, therefore, is impossible for Bodin, except in the meaningless cases where a ruler can truly manage on his domainial revenues only, or where a parliament automatically grants every request for imposts. Bodin's own time provided many examples of parliaments which refused to grant funds that rulers claimed they needed. And we have seen that in 1576 Bodin himself was instrumental in the rejection by the Estates-General at Blois of demands for a tax grant by Henry III.

When an emergency prevents the crown from taking the time to convene his parliament, of course, the king must take imposts first and ask later; for, as Bodin has "a Roman senator of ancient times" say, "nothing is more just than that which is necessary."[27] But emergency levies imposed without consent do not bind the community once the emergency is past.[28] Since the *tailles*, excises, and salt taxes currently being collected had not been granted to the crown in the recent past, it follows that they are illegal and should be wiped out as soon as possible. Interpreted literally, this position seems impossibly far-fetched, even for the most moralistic of political philosophers.

Bodin's "model" of the government he prefers is not a purely imaginary affair, a utopia. His state is derived from observations

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eignty; if of an inferior, whether it be a council of magnates or of the people, it is not he who is sovereign."

[26] *Republique*, 140.

[27] *Ibid.*, 863, 876, 895.

[28] *Ibid.*, 880, 882.

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of the actual functioning and the real problems of states in his own day and in the past.[29] Though the real world contained no actual and complete example of his ideal state, he attempts to convince his readers of the validity of his views by furnishing them with intellectually defensible proof that the components of his "model" are feasible in the sense that if translated from the plane of theory to that of reality they would indeed provide optimum government. Let us admit that in this sense the fiscal aspects of Bodin's "model" are a failure, since they lead to important internal inconsistencies.

II

What remains to be discussed is whether these inconsistencies were simply an error, a mistake Bodin failed to notice or possibly never bothered to correct, or if Bodin had some other purpose in taking such a position on the taxing process. Whether Bodin understood that his views on taxing and sovereignty involve contradictions is a matter we probably never shall resolve. But it may well be that the limitations Bodin imposes on sovereignty when he discusses property and popular assemblies in his ideal state are quite consistent *in purpose* with the policies he urges on the crown in the chapters on public finance. If Bodin's larger goal in writing the *Republic* was not to be consistent, but "to find out the secret of stability in a politically unstable world" (M. J. Tooley), his statement that the Estates-General must participate in the taxing process makes some sense. Furthermore, when we look at Bodin on taxes from this point of view the details of his notions on how a fiscal system should operate seem less naïve. Bodin probably intended his observations on the taxing process in an ideal state to stand as a warning to Henry III that not only were the French dangerously antagonistic to his rule, but that, so far as tax grievances were concerned, they had every right to feel that way. Therefore the crown should embark on a program of tax reform not only because it would be correct politically, but also because it would be sound morally, or, if one prefers, "constitutionally."

By 1576 the Wars of Religion had divided France so badly that

[29] See the first chapter of Book I: "At the same time I do not want to sketch out an abstract and non-existent commonwealth, such as those imagined by Plato and Thomas More, the chancellor of England."

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large sections of the country had cut themselves off from control by the crown and were being run by Huguenot assemblies and nobles; other provinces were under the effective control of Catholic war lords. While the crown remained weak, it seemed that some radical Huguenots would continue to build little Genevas all through France, and some Catholic zealots would continue to proclaim that they would never rest until the last ember of heresy was stamped out. It seems safe to conjecture that Bodin's most important concern at this time was not the development of internally consistent theories of government, but helping to preserve a strong and centralized monarchy in France.

As yet neither of the extreme factions had won over the great mass of Frenchmen, still mainly uncommitted or simply politically inert. This was the strength of the *politique* position. If the moderates remained convinced that strong monarchy was the best government, if the uncommitted masses were not goaded into supporting the malcontents, effective authority could be returned to the king's hands. As a patriotic and sensitive Frenchman, deeply worried about the safety and happiness of his country, what could Bodin do? As he says in the dedication of the 1580 edition of the *Republic*,

> Since the conservation of kingdoms and empires and of all peoples rests after God on good princes and wise rulers . . . everyone should aid them, by supporting their power, by carrying out their holy laws [and] by influencing their subjects by works and writings that add to the common weal of all in general and each in particular.

A successful king has to be a strong king; however, particularly in the crisis of the fifteen-seventies, the very existence of the monarchy depended on the king's being accepted as the good head of the best kind of government by his subjects, no matter what their religious beliefs or local loyalties. Taxing away property, as we have seen, was regarded by Bodin as an attack on the very foundations of the state. But Bodin could see that the breaking-point would come long before these foundations were eaten away through appropriation of so much private substance that families could no longer actually function. He must have known that what the king had to fear was not so much that taxes were in fact destroying

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family strength and wealth as that families *believed* this dreadful situation was being brought to pass. The mechanism of breakdown, in other words, would be not economic but political, not bankruptcy but sedition.

If the records of the past teach us anything, Bodin says, it is that "one cannot find more frequent upsets, seditions, and ruins of commonwealths than because of excessive tax burdens and imposts."[30] And he proceeds to prove his point by listing a large number of such disturbances, from ancient Corinth on. The king must realize how disturbed people become over what they regard as unjust taxing and profligate spending by the crown. Even in uprisings where burdensome taxes are not a direct and obvious cause, revolutions always "strip away all imposts, *tailles*, and subsidies as a sign of liberty."[31]

One of the greatest dangers facing a "prince exacteur," says Bodin, is that by taxing everything in sight he is in danger of acquiring a reputation as a tyrant.[32] Bodin refers here to what must have been one of the more cherished stories about taxation in the sixteenth century. Once the great emperor Vespasian, mulling over new means of filling his treasury, hit on the scheme of taxing the use of public urinals in Rome. His son Titus found this to be a churlish sort of fiscal device, and let Vespasian know it. Vespasian is supposed to have answered by thrusting under Titus' nose a handful of coins obtained in this way, with the comment that while urinals might smell, money did not.[33] The modern French, and presumably some of the Renaissance French, too, would say the meaning of the story is that *l'argent n'a pas d'odeur* ("there is no such thing as tainted money"); but Bodin draws from it a different moral. To him it demonstrates that there was only a fine line between a "prince exacteur" and a ruler resented as a tyrant.

[30] *Republique*, 881 f.

[31] *Ibid.*, 886.

[32] See also Book I, Chaps. 3 and 4, where in several places Bodin has as one of the characteristics of tyranny "heavy taxes and imposts."

[33] *Republique*, 897. Another version is that rather than taxing the urinals, Vespasian forced the public to use them, so he could sell the urine deposits to fullers and dyers. See R. L. La Barre, *Formulaire des esleuz* (Rouen. 1622), 392.

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III

Some of Bodin's most biting comments are reserved for princes who use the stupid and harmful expedient of raising money by selling offices. Kings who sell positions in the judiciary, especially, are to be blamed for auctioning off something priceless, namely, justice. "They sell the commonwealth, they sell the blood of its subjects, they sell the laws." Kings who create and sell posts in the fiscal bureaucracy expose their subjects to vampires who think of nothing but gain. "It must be stated bluntly," says Bodin, "that the people are fed up with the petty thievery of such officials."[34]

A standard trick of tyrants, Bodin claims, is to attempt to turn wrath away from themselves by stirring up jealousies and antagonisms among the various interests in the nation. Thus the clergy and nobility in France always have been given tax concessions so that they do not side with the people on this issue. The poor, therefore, must bear most taxes, since even among townsmen only the poor pay, while the rich buy exemptions; and in the villages the rich peasants connive with officials to pass the burden on to the poor.[35] But the privileged groups are only deceiving themselves, since in reality if the king does not obtain sufficient cash from the poor he finds ways of tapping more favored groups or individuals. The clergy, for example, are forced to pay many *décimes* (tenths); the nobles "have to sell their goods . . . to make war at their own expense; [so everyone] pays *tailles* and imposts either directly or indirectly."[36] Instead of protecting the ruler from discontent, therefore, these unfair practices stir up more trouble than ever; and the first and principal cause of sedition is such inequity.[37] How is it, asks Bodin, that kings cannot see the obvious fact that people are terribly disturbed by fiscal operations that hurt some and enrich others?[38]

Bodin understands quite well that even in the best-run states

[34] *Republique*, 909-10. In fact, from the early sixteenth century on in France almost all judicial posts and every single one of the posts in the fiscal system was venal. See Chapter 10 of my forthcoming work, *The Tax System of Renaissance France*.

[35] *Republique*, 886-87.

[36] *Ibid.*, 886-87.

[37] *Ibid.*, Book IV, Chap. 4.

[38] *Ibid.*, 877. Bodin favored indirect taxes and especially tariffs, arguing that the rich and powerful found it too easy to dodge direct taxation. *Ibid.*, 887-90. See, also, Nancey, 123-43.

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expensive emergencies will crop up, that armies do cost money, that exceptional methods must be taken at times to "faire argent promptement." He recognizes that "war is not paid for by talking (*par diëtte*) as a captain of ancient times says."[39] That is why it is such a wise practice to establish a war chest for emergencies, rather than relying on harmful expedients like venality, debasements, imposts, or, worst of all, alienation of the royal *domaines*.[40] If imposts must be levied, the people have to be shown that their tax money is being put to good use. The king must not invent some pretext or other to declare war, raise taxes for the war, and keep the revenues even when no fighting develops, as did "Denis le tyran" [Dionysius of Syracuse?].[41] Of course, if the enemy is really at the gates, "public welfare must be preferred to that of individuals, and . . . citizens should give up both their antagonisms and animosities, and their possessions, for the safety of the Republic."[42]

As in taxes, so in money; all power belongs to the king, therefore all responsibility is his. Let the king remember that Dante put Philip the Fair of France, an incorrigible debaser of the coinage, in the lower depths of hell as a common forger. If the king is scornful of his own reputation, let him at least consider that changing the alloy or the tale of coins is incredibly damaging to everyone. Nobody can be sure of where he stands; contracts, pensions, and rents all shift in value, and the taxes paid into the treasury buy less for the king, too. Furthermore, it is well known that courtiers learn about a debasement in advance and take advantage of their special knowledge to line their pockets through shady deals; the king's treasury, meanwhile, profits but little. In his third chapter of Book VI, "The Way to Prevent Money from being Debased or Counterfeited," Bodin works out some elaborate plans for making small change dependable and for establishing stable par values for gold and silver, one of the most worrisome problems besetting mint officials and the business community.

[39] *Republique*, 855.

[40] *Ibid.*, 906. See, also, his preliminary statement on the main purposes of public finance, 855.

[41] *Ibid.*, 878. This was a frequently used argument against proposed tax increases during the Renaissance, and undoubtedly figured in the decision of the delegates at Blois in 1576 to reject the crown's tax plans.

[42] *Ibid.*, Book I, Chap. 8.

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Chapter 2 of Book VI, where Bodin takes up the expenditure side of the fiscal system, also is full of specific advice and warnings.[43] Paying off the soldiers should have first claim on the treasury after support of the royal household and works of charity. This will spare the villages the horrible depredations of resentful troops. Next on the list of expenditure priorities should come beneficial public works, in order to banish "the two great plagues of the Republic—unemployment and poverty."[44] Next the king should concern himself with fortifications, roads, canals, and colleges. He should stop building expensive châteaux; a prince who has built such monuments to "vainglory" has "used the blood of his subjects for building materials."[45]

Finally, there is a pathetic lecture to the crown in which Bodin seems to be trying to convince profligate Henry III that there is nothing incompatible between maintaining royal dignity and paying careful attention to the details of the country's finances. Kings who immerse themselves in financial administration find it quite as interesting as the roisterous and meaningless life at other courts.[46] The greatest monarch of all, says Bodin, Philip II of Spain, does not think it beneath him to check over carefully all budgets and accounts, thereby keeping his bureaucracy on its toes and sparing his country many a fiscal fraud. This does not mean that considerate and careful kings need live meanly; King Louis XI of France pinched his personal expenses so hard he wore patches on his cloak, but he also squeezed the people with the heaviest and most arbitrary taxes they ever had experienced.[47] Bodin even suggests, on rather slim authority, that rulers who were active and meticulous in managing records tended to be long-lived and to have time for everything; Henry III, it should be noted, was notorious for his fear of death.[48]

IV

Through petty arguments or solid ones, Bodin had to reach the king. Different editions of the *Republic* are dedicated to different

[43] *Ibid.*, 897 ff.
[44] *Ibid.*, 900.
[45] *Ibid.*, 901. The original phrase is even stronger: "maçonné du sang des subiects."
[46] *Ibid.*, 902-03.
[47] *Ibid.*, 909.
[48] *Ibid.*, 903.

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persons, but it is obvious that, especially from Book IV on, the work is aimed primarily at the king and his counselors.[49] Persuading the king to improve his "image" as the nation's ruler probably was more important to Bodin than consistency in the theoretical structure of his "well-ordered and absolute monarchy." His writings on taxes, particularly, should not be interpreted as a search for universal principles. Therefore the fact that they contain apparent contradictions in theory and naïve policy proposals counts for less in assessing the value of what he has to say. Bodin's problem was not how to improve his countrymen's knowledge of the nature of the fiscal system, but how to persuade them to stop pulling their country to pieces.

We have known for some time that Bodin had *politique* aims in writing the *Republic*, that he intended it in large part as "a defense of politics against parties" (George Sabine). It seems true, in addition, that Bodin intended the *Republic* to protect the political system against the corrosive effects of blundering by the king, particularly in the area of taxation.

If the interpretation put forward here is correct, the actual effect of Bodin on taxes was far from his intent. The *Republic* brought him increased prestige in intellectual circles, but no important post in the royal administration. The king did try some fairly important fiscal and monetary reforms during the next few years, but the main outlines of the tax system remained exactly as before, the burden of taxes increased, and popular anger over fiscal injustices continued to grow. After 1584 the political situation deteriorated at a sickening rate; and in 1588, when the king had the chief Catholic leaders assassinated, a majority of the provinces went over to outright rebellion.

Bodin on taxes may have had more influence, ironically, in seventeenth-century England than in sixteenth-century France; he was widely quoted by opponents of the Stuarts, who found in the *Republic* arguments to support the old view that "the king should live of his own." In Italy, Giovanni Botero, a famous

[49] It is true that Bodin sometimes gives a different impression. In the dedication to the 1576 edition he explains he has written in French (rather than Latin) in order to be understood by "all born Frenchmen"; in the 1584 edition, at a time when the collapse of the state seemed even more imminent, he says in the dedication that though his work is written for all, he wants especially to reach the nobility. Baudrillart, 223-24.

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disciple of Bodin, followed step by step Bodin's thinking on the proper structure of royal revenues and on royal borrowing. But in France much of Bodin's thinking on the nature of sovereignty was incorporated in the increasingly fashionable arguments of those advocating divine-right monarchy, a philosophy of rulership Bodin would have spurned. By ignoring the first three chapters of Book VI, the proponents of divine-right monarchy were able to stand Bodin on his head and argue that, since sovereignty had to be indivisible, the king must have unlimited powers to impose taxes.[50] Succeeding generations were more interested in what they could carve out of Bodin's theory for their own purposes than in applying his specific policy recommendations.

[50] Church, 243-45, 254-57, 270 and n. 64, 331-32.

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Book Reviews

Disraeli by Robert Blake. St. Martin's Press, 1967. —xxiv, 824 pp. $12.50.

This massive new life of Disraeli will probably take its place among the definitive biographies of nineteenth-century British statesmen. The "classic" six-volume biography by Monypenny and Buckle, the last two volumes of which appeared in 1920, has been described as a quarry as well as a classic, yet it is an uneven work, parts of which were written too close to the story to convince the unengaged twentieth-century reader. It is a measure of Mr. Blake's achievement that his book not only can be appropriately compared in range and depth with Monypenny and Buckle's classic, but in some ways surpasses it. In particular, it is far more full and revealing on the young Disraeli, who is vividly described, warts and all.

The balanced approach of the whole volume is well epitomized in the first sentence, "Benjamin Disraeli's career was an extraordinary one; but there is no point to make it more extraordinary than it was." He faced many obstacles in his desire to climb what he called "the greasy pole," but his point of departure was neither as humble nor as alien as some people have believed. Likewise, the point where he ended, as Earl of Beaconsfield, was not quite as secure as it might have been thought to be. Success had not ironed out all the differences in his party, nor had the country responded to his magic as he would have wished. "It is a very difficult country to move, Mr. Hyndman," he told the future socialist leader in a famous three-hour interview a few weeks before his death, "a very difficult country indeed, and one in which there is more disappointment to be looked for than success." While Disraeli, as Mr. Blake rightly points out, had learned that politics is the art of the possible, he never became a conventional politician dealing in platitudes. He had shown that he knew intuitively how to appeal to the prejudices and selfishness and stupidity of his followers, but he had shown also

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that he could offer them, partly because of the circumstances within which he operated and the nature of the opposition which he had to face, an inspiration which can never be taken for granted within the arena of practical politics. There was a complete contrast in attitudes and career with those of Peel whom he did much to overturn. His life may rightly be taken as a study in the exercise of the political imagination, controlled by a sense of what was feasible at any given time and deflected by a love both of power and of maneuver.

Mr. Blake emphasizes Disraeli's lack of principle and his skill in getting what he wanted. He rightly points out that the philosophy which was expressed in the early novels, for example, should not be taken too seriously and that they certainly should not be treated as socio-political textbooks. His approach, rooted in sound scholarship, is in welcome contrast to the literary approach of earlier critics who treat the novels fully but leave out the twists of Disraeli's political life. It was Bismarck who first put the matter the other way round when he said in 1880 that "in spite of his fantastic novel-writing Disraeli is a capable statesman." Mr. Blake deals fully with shifts of outlook and policy which, without exaggeration, could be deemed inconsistent. There is more to be said, however, about what was happening in the background of politics—about both the tory-radicalism of the eighteen-thirties and forties and the business conservatism of the later century. This impressive biography will need to be supplemented in time with a study of the mid-Victorian Conservative party parallel to J. R. Vincent's recent study of the emergence of the mid-Victorian Liberal party. To understand leaders we have to understand followers, and to understand followers we have to understand both the social and the political system.

ASA BRIGGS
University of Sussex

Winds of Change, 1914-1939 *by Harold Macmillan. New York and Evanston, Harper and Row, 1966.—viii, 584 pp. $10.00.*

Harold Macmillan's first volume of memoirs is readable, highly intelligent, and erudite, far surpassing in all these respects the norm for political autobiography. It is not, perhaps, a major contribution to history, because its author was not in a position, before 1939, to know very much that we do not already know about the development of Great Britain and her affairs. A back bench MP and Tory rebel, he played a significant, if

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limited, part in politics. He sheds a little new light on the activities of the "YMCA" (a sobriquet for the small group of left-wing Conservatives of the later nineteen-twenties) and the later Five Years Group, that typically thirties alliance of moderate members of all parties and none, of which Macmillan was one of the more conspicuous leaders. But there is less on such subjects than one would like, and far too much space is devoted to a general historical narrative based on such excellent but familiar secondary sources as C. L. Mowat's *Britain Between the Wars*. At one point Macmillan remarks, concerning the final two years before the Second World War: "I will not attempt to retell the whole story, but only emphasize some aspects of it which were unknown to my friends and myself at the time, but have now been revealed" (p. 469). The purpose of such a book ought surely to be precisely the reverse—to emphasize the aspects that were uniquely known to the author and his friends, and about which we therefore welcome new knowledge.

Reviewers have tended to dismiss *Winds of Change* on the further ground that it is unrevealing of its author's personality; it does not help us to solve the riddle of Supermac, the would-be modernizer of Tory Democracy who concluded his active career as the personification of the Edwardian gentleman in the age of the telly and the football pools. This is unfair to the book, which does convey a coherent and convincing impression of the man. The early chapters are especially worthwhile in this connection. Who will not emerge with fresh insights into Macmillan's famous "unflappability" after having read his description of being severely wounded in the trenches of the Somme in 1916: "I lay in my hole. . . . I had in my pocket Aeschylus's *Prometheus* in Greek. It was a play I knew very well, and seemed not inappropriate to my position. So, as there seemed nothing better to do, and I could not move in any direction, I read it intermittently" (p. 88). On the other hand, most readers will be surprised to hear that the author has never conquered stage fright, feels "violently sick most of the day before" every important speech, and made it his practice, when prime minister, to lunch alone on Parliamentary Question days so as to conceal his nervousness.

Presumably, Harold Macmillan's second volume will contain less potted history, for in 1940 he became a junior minister, thus beginning the ascent to what his boyhood hero, Disraeli, called "the top of the greasy pole." If the sequel sustains the literary level of the present book, and adds the further ingredient of inside knowledge of great affairs, it should be a notable work.

RICHARD W. LYMAN
Stanford University

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The British General Election of 1964 *by D. E. Butler and Anthony King. New York, St. Martin's Press, 1965. —ix, 401 pp. $9.00.*

The revolutionary movement of the last forty years toward quantification in political science had, as one of its off-shoots, the development of psephology in the study of voting. The central role of the vote, as unit of support, in this science has been recognized. Too much stress can scarcely be placed upon the plebiscitary democratic revolution pioneered by Dr. Gallup. Following the earlier volumes in a series beginning with the work of R. B. McCallum and H. B. Nicholas, David Butler, sub-warden of Nuffield College, has become the leading British psephologist, the present volume being produced in collaboration with Anthony King.

I confess to getting more enjoyment out of, for example, T. H. White's *The Making of a President* than from graphs and rows of statistics, although I may get here more exact information in the scholarly warfare against inexact and dangerous generalizations. The present book, however, is far from solely statistical. It begins with admirable surveys of the policies and electioneering strategies of the three historical British parties (not, however, of the various Nationalist parties, of whom we shall hear more, or of the Communists) and concludes with detailed studies of the electoral situation in four selected constituencies in this election before last, that of 1964. Many facts emerge of permanent and of more than local British interest. The present writer pressed upon Mr. Harold Wilson the importance of Theodore White's book; and this advice certainly was taken. However, it is here suggested that Wilson's campaign of 1964 more closely resembled in tactics the self-centered one of Nixon than the planning of John F. Kennedy, while Mr. Wilson himself has claimed a greater resemblance of methods to those of Johnson. What is certain is that British politics, including electioneering, are becoming far more presidential in type. If this be so, and the House of Commons (as distinct from the Lords) is not to fall into ignominy, some revision of the so-called British Constitution will be required, so as to restore there the old Whig doctrine of "the division of powers," now largely eroded. Apropos this new type of electioneering, and fortified by the 1966 election, I would venture to dissent from the conclusion of the authors that television has been proved to be no important factor for good or bad. I submit that Harold Wilson gained immensely from his mastery of radio and television technique, and that (like Baldwin) Douglas-Home—not an economist or "home affairs" man—and even Heath, with his party whip manners, lost, in 1964 and 1966 respectively.

The survey reveals a 77.1 national vote (a 1.6 drop on 1959), the greatest abstentions being surprisingly among apathetic manual workers

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(80 per cent), although the abstentions—here a positive political act—of frustrated Liberals were significant. The effect of feeling on immigration and "colour" was not widespread, but was yet enough to show a dangerous undertow in the electorate, not exploited by any responsible leaders. However, in Smethwick, a strong, although prudent, racialist, Peter Griffiths (later described by Mr. Wilson as "leprous") defeated Gordon Walker, Griffiths being himself not only defeated in 1966 but unable to obtain a teaching job for which he was an applicant. Of members elected, 65 of the Conservatives (over 10 per cent of the whole House) were barristers and 14 were solicitors; of the Labour M.P.'s, 46 were lawyers, 41 were skilled workers, and 27 were journalists. (It is noteworthy that, if the Tories patronized Eton, the vast majority of Mr. Wilson's Cabinet could sport the dark tie of Oxford and, moreover, were Oxford ex-dons.) While the Tories talked about "modernization" and (it is important to note) looked to entry into the Common Market as a *deus ex machina* —peculiarly Heath's—for the endangered election success, Labour propagandized the alliance of its party socialism with "science." (In the end they came up, as technologists, with Cousins and Snow, odd image-makers.) The electorate, 48 per cent against 22 per cent, regarded the Tory party as now "more divided" than Labour and as a "tired Party." Labour won by a hair's breadth, thereby elating the hearts of Liberals, who hoped to hold the balance of power. The illusion disappeared in 1966, when incidentally the first Welsh Nationalist to be elected threatened their vote. Today we have a clear majority Labour government, with the Tories appealing for an alliance in the name of "liberty" with the trades unions. A cartoonist pictured Heath and Macleod joining in singing "The Red Flag." American Republicans, their nearest British kin being the Most Honorable the Marquess of Salisbury, might meditate on the spectacle. Mr. Butler's *Election of 1966* should be a fascinating volume.

GEORGE E. G. CATLIN
London, England

British Broadcasting and the Danish Resistance Movement, 1940-1945 *by Jeremy Bennett. Cambridge, Cambridge University Press, 1966.—xvi, 266 pp. $10.00.*

On April 9, 1940—the day of the German seizure of Denmark—the British Broadcasting Corporation began daily broadcasts in Danish to the Danish people. These continued throughout the Second World War. Par-

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alleling efforts to other occupied countries, the broadcasts sought to sustain morale, win friends, counter German propaganda, and in later stages of the war to coordinate sabotage and insurrection. Like all such efforts, the broadcoasts to Denmark posed complex strategy problems which often had to be resolved on the basis of scant information about events in Denmark. Along with broadcasts avowedly from the BBC, there was also use of "black" broadcasting, purporting to come from underground transmitters in Denmark but actually originating in Britain.

Jeremy Bennett provides a study of the five years of wartime Danish-language broadcasting, based on available documents in both Britain and Denmark and interviews in both countries. The book seems certain to set the pattern for similar studies of propaganda efforts and their impact. The value of such studies is clear: the problem of communicating across barriers of one sort or another seems certain to be with us for many years to come in all parts of the globe.

A reading of this book suggests that every such propaganda task will involve its own unique problems. Although Denmark and Norway were seized at the same time and the BBC launched broadcast services to both, the two efforts posed sharply divergent problems. Norwegian leaders left their country and set up an exile government in London which cooperated with the BBC broadcasts to Norway. The Danish government remained in action at home under Nazi overlordship. King Christian X, with daily horseback rides through Copenhagen, maintained contact with his people. His government continued to be represented in London by a Danish minister, Count Reventlow. Should he be considered by the Allies a Nazi collaborator and enemy? The British government avoided the problem by largely ignoring him; the BBC Danish broadcasts were done without his cooperation and were later aided by a British-based Danish Council in touch with Danish underground groups and presumably working at cross-purposes with the official Danish minister.

The contrast between the Norwegian and Danish situations had large implications. The Nazis punished Norwegian defiance with harsh repression. In Denmark, on the other hand, the Nazis tried to present a showcase of the benevolent treatment awaiting a cooperative people. The Danes were allowed to keep their radios. The Danish army was not disbanded. Ironically, both these circumstances gave the British a stake in maintaining the *status quo* in Denmark. At 8:15 every evening, Bennett tells us, Danish electric consumption rose sharply as homes throughout Denmark tuned in the BBC, which rapidly became their chief source of news even for events within Denmark. Information about some of these events came to Britain from pro-Allied army officers in Danish intelligence, who conveyed it to Stockholm for relay to Britain. The information obtained from

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these officers—referred to in code communications as "the League" or "the Princes"—seemed so valuable to the British government that it sought for some time to maintain the ambiguous situation in Denmark and to avert sabotage that would upset it. Only later, in 1943-45, did Britain feel the time had come to encourage sabotage, and to aid it with mounting supplies of parachuted materials. As Hitler began to have desperate need of troops stationed in Norway, transferring them to other fronts via Denmark, railway sabotage rose in importance.

Bennett explores lucidly the innumerable problems of developing a broadcast propaganda policy. The likelihood of error and of efforts at cross-purposes is clearly revealed. He makes little effort to depict the atmosphere of the time; the reader has scarcely any sense of being involved in a momentous global struggle. Instead, Bennett presents a world of memoranda and meetings and bureaucratic disagreements. Yet, dry as it is, it is clear and often fascinating. Bennett is at times handicapped by the incompleteness of information available to him. British government policy keeps many documents sealed for fifty years, so that some decisions are still wrapped in mystery. Channels of information from Denmark are often not clearly explained. More unfortunate still, most British documents relating to "black" broadcasting were burnt by the British after the war and the full story of such activity will presumably never be known.

ERIK BARNOUW
Columbia University

The Headmaster: Roxburgh of Stowe and His Influence in English Education *by Noel Annan. New York, Schocken Books, 1966.—xiii, 207 pp. $5.95.*

Schools, like the church, reject well the virtues of each preceding generation. Noel Annan's biography of his own school, Stowe, and its first headmaster, J. F. Roxburgh, demonstrates this well. Born in the nineteen-twenties, Roxburgh's Stowe was a fine Edwardian school, dedicated to the continuation of a cultivated sensitive elite. It softened the rigors of mid-nineteenth-century Rugby and rewarded more talents than did Thring's Oundle. Roxburgh, Annan reports, "emphasized the graces: delicacy, generosity . . . a natural spontaneity of manner. . . ." The concerned, cultivated, yet critical gentleman was Stowe's aim.

The England of Stowe's founding and early years was, of course, the

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England of the Hadow reports, the Fleming report, and the Butler Act. Stowe was above this social revolution and its headmaster largely untouched by it. Roxburgh "assumed as an axiom of life that people should keep to their stations." His world, had he noted it, was increasingly being led by those who had forgotten their stations. While upset by war, his school went on, commended for the number of its royal visits rather than for its relevance to its time.

If one can believe Annan an Old Stoic—and alumni reminiscences are notoriously soft—Stowe was nonetheless a good school of its kind, a significant example of greater humaneness among the English public schools. Roxburgh buried Thomas Arnold and replaced him with son Matthew, Annan asserts; such was the contribution of a great new school of the nineteen-twenties and thirties.

But it is easy to scoff. While Roxburgh stood for old virtues, some of them are timeless, and Annan highlights these. The Headmaster noticed boys and remembered them. He ignored, relatively, his staff (how impossible in our time!) and, to a large extent, his budget. He had a laudable sense of priorities for his school and stood for a restrained style that most of the new state schools never attempted.

The Headmaster, thus, usefully describes both the lag of schools behind the popular culture of their time and the shape of a particular school and its creator. The story is balanced, and as such the book is almost unique of its kind. It stands as a particularly useful piece of twentieth-century social history and biography.

THEODORE R. SIZER
Harvard Graduate School of Education

Hobbes's Science of Politics *by M. M. Goldsmith. New York and London, Columbia University Press, 1966.—xvi, 274 pp. $7.50.*

Thomas Hobbes believed that he had created a unified philosophic system in which politics could be examined in terms of his general scientific method and understood as integrally related to his metaphysics, epistemology, and pyschology. This contention is usually dismissed—in part because of our contemporary presumption of a *logical* hiatus between epistemology and politics (that is, between philosophic method and substantive conclusions about political life) and in part simply because there are too many gaps in Hobbes' own position for his claim to be taken seriously. Professor Goldsmith has challenged this practice and

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argues that Hobbes' assertion must initially be accepted and that his doctrines should be interpreted in light of his *intention* to provide a scientific theory of politics, a set of presuppositions shared with J.W.N. Watkins' recent *Hobbes's System of Ideas*, a briefer and more polemic study. Accordingly, Goldsmith begins with chapters on Hobbes' "Philosophy" and "Natural Philosophy" and quite properly points out the too seldom noted *hypothetical* rather than *categorical* application to the external world of Hobbes' theories.

In the end, however, the appeal to scientific principles does not so much establish the framework for a new interpretation of Hobbes' political philosophy as it supplies a set of concepts around which an exposition has been written. The most apparent result of this method is that Goldsmith's analysis is generally textual rather than historical. His book contains a number of new explorations and thoughtful and valuable contributions to an understanding of Hobbes, but they are due more to Goldsmith's insights and considerable interpretive skills than to his unique perspective. Among the most significant of these reappraisals is a criticism of Warrender's well-known position on the relation of God to political obligation in which Goldsmith convincingly argues that Hobbes' God can only be "an omnipotent first cause and not a legislator of moral rules" (p. 119). Another central difficulty in Hobbes—the problem of whether a sovereign by acquisition is actually a party to the governmental compact—is neatly disposed of in Goldsmith's distinction between the "contract" and the "covenant" (pp. 164, 180: the sovereign contracts but does not covenant, and it is the latter that creates government).

Professor Goldsmith has included an interesting account of the development of contractarian thought in the sixteenth and seventeenth centuries (p. 140 ff.) that is presumably designed to establish the intellectual-historical context of Hobbes' own version of the theory. This discussion, it should be noted, is far more useful than the comparable one in J. W. Gough's *The Social Contract*, but it seems curiously out of place in a work that seeks to interpret Hobbes in terms of *his* intention to be scientific. Moreover, it is doubtful that this sort of "contextual" analysis tells us very much that we want to know about Hobbes; the information that is lacking—if we are going to understand Hobbes by approaching him "historically"—is to be found in the writings of his own contemporaries, and on all questions, not merely the theory of the social contract. The point here is, simply, that the *historical* Hobbes belongs first in the England of the mid-seventeenth century and only secondarily in the "history of political thought." It may be added that Goldsmith never really gets to the heart of the contract theory (for Hobbes or for anyone else),

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for he fails to explore the logical, moral, and historical reasons why "consent" should ever be deemed a valid basis for political obligation.

Still these are complaints about a book that has much to commend it. Unlike many commentators, Goldsmith has examined the whole of Hobbes' political theory, rather than some of its isolated aspects. The methodological apparatus is followed by full and lucid discussions of Hobbes' conceptions of human nature, the state of nature and natural law, the origins of the political order, and the essence and extent of sovereign power and government in general. The final chapter attempts to fit Hobbes' interpretation of "political phenomena"—law, religion, and history—into the more abstract scientific scheme. This conclusion is commendable for its application of Hobbes' method to his own account of such a specific historical problem as the English Civil War, a subject that is seldom explained in terms of the philosophic system. Throughout, Goldsmith writes well and analyzes his subject with skill and sympathy. He has painstakingly and judiciously examined rival interpretations, accepting and rejecting parts of all of the standard ones. In short, while there is little here that will be new to the Hobbes specialist, *Hobbes's Science of Politics* is the most reliable and most thorough introduction to both Hobbes' political philosophy and the recent controversies to which it has given rise that has yet been published.

GORDON J. SCHOCHET
Rutgers, The State University

Vietnam and International Law: An Analysis of the Legality of the U.S. Military Involvement *by the Consultative Council of the Lawyers Committee on American Policy Towards Vietnam, John H. E. Fried, Rapporteur. Flanders, N.J., O'Hare, 1967.—162 pp. $2.00.*

This analysis of the legality of U.S. intervention in Vietnam is slightly reminiscent of that famous, perhaps apocryphal, plea in response to the charge that the defendant had broken the plaintiff's pot: (1) "My client never borrowed the plaintiff's pot." (2) "The pot was already cracked when he borrowed it." (3) "When he returned it, the pot was not cracked."

I said reminiscent rather than analogous because the problem here is not one of glaring internal contradiction but of an effort to adduce every conceivable legal argument however tenuous. While there may not be any Gresham's Law of legal writing, it seems clear in the instant

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case that a potentially powerful indictment of American intervention is somewhat diluted by the rapporteur's scattergun technique. Perhaps that is the explanation for the *caveat* which follows the names of the Consultative Council's distinguished members: "The signers of this legal analysis agree with its general tenor and conclusions, although not necessarily with every formulation that it contains."

The rapporteur makes at least three major arguments. First, he contends that at the time United States combat troops joined the fray and we commenced our strategic bombing campaign against North Vietnam, there was no "armed attack" of a kind which would justify expansion of the struggle across a boundary the United States itself insisted had an international status. Secondly, he argues that the right of foreign participation (what the United States calls "collective self-defense") arises only when the threat to national territorial integrity is imminent. Although the government of South Vietnam was in critical condition when the United States intervened massively, there had been ample opportunity in earlier years to bring the insurgency problem before the United Nations. A third substantial argument is that the invitation of the South Vietnamese government could not justify United States expansion of the war because that government has been a mere client of the United States and is actually the product of United States intervention in the society of Vietnam.

The Council's brief is designed as a response to the memorandum of the State Department legal adviser which was submitted to the Senate Committee on Foreign Relations in March 1966. Whatever the brief's imperfections, it is, without question, a responsible piece of legal advocacy. If one were to assume that the senior legal officer of the State Department has no public responsibility other than the rigorous rationalization of governmental action, the State Department memorandum would also meet that standard. But I, for one, feel that the government lawyer should be held to have a higher obligation than his private counterpart. Particularly in an age when the instruments available to the administration for the manipulation of opinion are so devastatingly effective, one might prefer the conception of a legal adviser who was required to make some substantial effort to present both sides of a controversial case. In this instance no such effort has been made. The convulsion in South Vietnam is described as a clear case of external aggression. Facts which support the hypothesis that until 1965 this was basically a civil war with significant external support to both sides are either ignored or distorted. Mr. Fried's presentation of the facts, although hardly impartial, is somewhat more candid. However one may evaluate the persuasiveness of several of

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his legal arguments, they are nevertheless reasoned propositions susceptible to evaluation and analysis. The style, while not elegant, is decently lucid and definitely accessible to the layman. Overall, it is a reasonably good effort.

TOM J. FARER
Columbia University Law School

Worlds in Conflict *by D. W. Brogan. New York and Evanston, Harper and Row, 1967.—133 pp. $4.50.*

Abuse of Power *by Theodore Draper. New York, The Viking Press, 1967.—ix, 244 pp. $4.95.*

If, in foreign policy debate, we leave aside all questions of morality (which, of course, we cannot and should not do), there still remain the problems implied in the adage, "It's worse than a crime, it's a stupidity." How stupid (in the light of "political realism") is U.S. Vietnam policy? About ninety per cent of world opinion outside the United States and by now probably close to fifty per cent of American opinion has an increasingly plausible answer. The fact that, despite its plausibility, it is unlikely to have an impact on the policy and its makers shows up one of the most disturbing characteristics of the American system of government: its lack of effective channels (as they frequently exist in parliamentary regimes) for bringing changed opinion to bear on power-holders; hence frustration turning into violence.

Sir Denis Brogan, esteemed interpreter of and adviser in things American, in his volume on "the current crisis in American foreign policy," ever so politely although occasionally a bit patronizingly, reminds Americans of such homely verities as, Vietnam is not a "nation" and has no "government" based on support by such (non-existent) nation; and (referring to a statement ascribed to Marshal Foch) "a government can get along without an army, but an army cannot get along without a government"; there are times in history when people prefer peace to justice; "anti-Communism, like patriotism, is not enough." And he concludes that policies "based on the freezing of attitudes of 1945" are doomed to be frustrating, fruitless, and possibly disastrous.

Brogan deals primarily with broad topics, such as the impact of the past on present policy or the decline of Western "superiorities" and the conclusions to be drawn for policy from that (nothing really new here), and only incidentally with Vietnam. Draper's book, on the other hand, centers entirely around that tragic issue. Among constantly repeated

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non-sequiturs on Vietnam one of the worst is, "never mind how we got in, we are there now and have to see it through." If it can be shown that the United States became involved, not in a war to resist aggression, not even in a civil war of two major factions, but in the combatting of a nationalist movement for independence from colonial and "mandarin" controls (a movement that, not without combined French-American fault, was captured by Communist leaders), the conclusions for policy must differ from those which might be drawn if involvement had come about differently. Draper, in little over two hundred pages, sums up brilliantly what others have shown in greater detail. What clearly emerges is that Vietnam, basically, has turned out to be another Algeria. The Algerias of our age cannot be kept, or regained, once the "territorial imperative" has involved all but a fraction of the population in a guerrilla war against what appears to them as foreign intruders and their native "puppets." *Abuse of Power* is a veritable storehouse of all imaginable indictments of U.S. folly (or worse), detailing the constant factual contradictions in which policy-makers enmesh themselves (for example, concerning the strength of "invading" North Vietnamese forces or the negotiation offers and feelers of 1964); the shameless rewriting of history (the retroactive reinterpretation, after 1965, of a civil war in the South into Northern "aggression"); the rationalization of intervention (for example, guerrilla war not requiring out-and-out U.S. military aid turned into Chinese-backed or even Chinese-instigated foreign attack); the "escalation of theory" that accompanies the escalation of force (from mere assistance to counter a local invasion to a fight for liberating the world from all future Communist "liberation wars"); the confusion of objectives (altruistic aid to another nation, fulfillment of solemn commitments, vital U.S. security interest); and the like.

It would be bootless, alas, to repeat the cliché so often used when an important book, like Draper's, comes along: that it should be "required reading" for policy-makers. Their minds are closed. No American de Gaulle, with the insight and the courage to liquidate a hopeless venture, is in sight. The results, domestic and world-wide, will be more tragic than anything that has ensued so far. Small consolation that books like this are at least available to keep the record of history straight.

JOHN H. HERZ
City College of the City University of New York

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Yazoo. Law and Politics in the New Republic. The Case of *Fletcher* v. *Peck* *by C. Peter Magrath. Providence, Brown University Press, 1966.—ix, 243 pp. $6.00.*

This is a study of a constitutional decision in context. It describes the events which preceded the celebrated case of *Fletcher* v. *Peck* (1810), the case itself, and something of its consequences. Studies of this kind are by no means common, and any addition to the literature is welcome. Moreover, work of this kind represents a useful alternative to the study of constitutional theory and history as dry doctrine and its development. Some recent scholars (particularly political scientists) have pursued rather daring experiments in theory, forcing the nine august justices, robes and all, so to speak, into such unwonted matrices as game theory or scalogram analysis. The utility of socio-economic analysis of the backgrounds of the justices, or of applying small-group theory to the Court, or of other techniques of analysis, lies in the hope of learning more about how social facts relate to judicial behavior—before, at, and after the point of decision. A few of these modern studies, however, are (paradoxically) somewhat unsociological, in the sense that they focus solely on one bald form of judicial output, the result, abstracted (moreover) from political, economic, and social context. Another tradition, which goes at least as far back as Charles Warren, seeks to understand the Court in precisely this context. *Yazoo* is a product of this tradition.

The book is divided into two main sections. The first section of the book is a rather straightforward account of the Yazoo controversy, from its inception to its ultimate judicial and legislative resolution. One chapter, after the close of the narrative, tries to put *Fletcher* v. *Peck* into its legal as well as its political-historical context. Following the narrative portion of the text, some eighty pages of documents are reproduced in an appendix, "to provide the interested reader with a more thorough background to the Yazoo lands controversy." Scholars may find this a useful device, though naturally it adds to the cost of the book.

The narrative sections are enlightening and pleasantly written. Particularly interesting is the analysis of *Fletcher* v. *Peck* as an early example of the use of the Supreme Court by an organized economic pressure group. *Fletcher* v. *Peck* was almost certainly a collusive case, worked up by the New England interests who had succeeded to the Yazoo land claims. The preferred forum of the Yazoo interests was Congress; the Court served as a (not unwilling) by-pass agency when Congress proved to be deadlocked. More recent parallels are obvious.

Professor Magrath's interpretations are balanced and, on the whole, fair. Naturally, one might dispute this point or that; for example, he may

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have overemphasized Blackstone's influence on John Marshall (p. 74), who had very much a mind of his own. The evaluative chapter is brief, and, perhaps for that reason, not wholly satisfactory. In less than ten pages, Professor Magrath attempts a thumbnail history of the contracts clause from *Fletcher* v. *Peck* to *Home Building and Loan Association* v. *Blaisdell* (1934). More mention might have been made of the legal devices that grew up to evade the Dartmouth College case; otherwise, one gets an impression that the economic (and legal) impact of the case was greater than it really was. Some readers might take issue with the argument that *Fletcher* v. *Peck*, in "reflecting a bias in favor of vested property rights, was in nearly perfect harmony with the attitudes and values of most politically conscious Americans" (p. 114). But the author makes a good case for this proposition, and on the whole I believe he is right. American constitutional development makes best historical and political sense when constitutional doctrines are looked upon as tentative propositions, enunciated by courts for a variety of reasons, but surviving as effective instruments of policy only to the extent that the alignment of social forces permits them to survive. Though *Yazoo* is not rich in explicit theoretical statements, it is sound as well as enjoyable reading.

LAWRENCE M. FRIEDMAN
University of Wisconsin School of Law

Jacob N. Cardozo: Economic Thought in the Antebellum South *by Melvin M. Leiman. New York, Columbia University Press, 1966. —263 pp. $7.50.*

As virtually the first monograph on American economic thought before the Civil War since Joseph Dorfman's monumental work of twenty years earlier, Professor Leiman's book is both welcome and a reminder of the grievous neglect suffered by this field of study. Thoroughly familiar with the classical economic literature, many of the American economists enjoyed a sophistication and insight equal to that of their better-known English counterparts, and hopefully Leiman's study will help to rekindle scholarly interest in their writings.

Leiman's detailed investigation of one of the most sophisticated of these economists, the Charleston editor Jacob Nuñez Cardozo, is a model effort to integrate and give equal weight to the economist's analytical writing and to his analyses and attitudes toward the politico-economic issues of his day. Present-day historians of economic thought, bemused by the current pretensions of economics to the status of an exact

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mathematical science, have tended to concentrate on the analytic apparatus of earlier economists to the neglect of their policy views; happily Leiman does not make this error.

In fact, Leiman tends to push the pendulum in the other direction, and the book suffers from a slight but persistent tendency to reduce the analytic to the institutional. Thus, on examining the shifts and vacillations in Cardozo's theories of banking, Leiman, instead of concluding that Cardozo suffered from a fundamental theoretical confusion, tries to reduce his vacillations to perfectly proper reflections of changes in institutional monetary conditions. Institutional conditions, however, do not give rise to theories like so many reflections in a mirror; many competing theories can be used to interpret any given condition, and these theories must be weighed on their own grounds for inner truth or error.

This is not to say that Cardozo's theoretical contributions are slighted; in fact, we learn of Cardozo's keen insights in correcting Ricardian rent and distribution theory; particularly interesting is Cardozo's realization that while money wages and money profits may fall in an advancing capitalist economy, real wages and real profits will rise.

Leiman's definition of "laissez faire" in banking theory is an odd one; for him, the "laissez-faire" policy was the anti-bullionist desire to remove the necessity for banks to redeem their liabilities in specie. Yet, there were few thinkers who interpreted laissez faire as a license to permit anyone to refuse to pay his contractual obligations, which is what anti-bullionism amounted to. Furthermore, Leiman errs in believing that the American economists were as laggard as the English in realizing that deposits were as much a part of the money supply as bank notes: Condy Raguet, Daniel Raymond, William M. Gouge, and Charles Holt Carroll were only some of the Americans who were more advanced in this regard than their "Currency School" colleagues abroad.

Finally, Leiman's welcome critique of the Conrad-Meyer analysis of the profitability of slavery suffers, like the rest of the current literature, from neglect of several critical items: the capitalization of the returns from slavery into the price of slaves, so as to equalize the rate of return on investment with all other industries; the passing by the slaveholders of the heavy cost of policing slaves onto the general public via drafting into county patrols; and the problem of why, in contrast to ancient Greece and Rome, slavery did not tend to wither away by the master's allowing the slave to purchase his own freedom at higher than market values.

MURRAY N. ROTHBARD
Polytechnic Institute of Brooklyn

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Charles Evans Hughes and the Illusions of Innocence: A Study in American Diplomacy *by Betty Glad. Urbana and London, University of Illinois Press, 1966.—365 pp. $5.95.*

This closely argued and admirably objective volume is not a study in diplomacy but in thinking about foreign policy. The author, an assistant professor of political science and a student of Hans J. Morgenthau, contends that Hughes—in clinging to traditional nineteenth-century principles, fashioned in an era of free security that had since vanished, and in glossing over the realities of power, at a time when the United States needed to readjust its role in the world—was able to achieve only transitory success as secretary of state. The first third of the book analyzes leisurely how family background, college training, legal activity, and political experience shaped the beliefs that Hughes brought to the State Department. Except for a cursory glance at the election of 1916 and a brief account of the peacemaking of 1919-20 and of the Havana and Washington Conferences of 1928-29, the remainder deals with his career from 1921 to 1925. Familiar topics pass in review: the domestic scene and public opinion, the presidency under Harding and Coolidge, the Senate under Lodge and Borah, the peace with Germany, the League of Nations and the World Court, war debts and reparations, arbitration and conciliation, intervention and interposition, the Monroe Doctrine and Pan-Americanism, the use of diplomacy to promote trade and of economic forces to undergird foreign policy. The main sources are Hughes' writings and speeches, the *Foreign Relations* series, the Oral History Collection at Columbia, and the potpourri in the Hughes Papers—notably the memoranda prepared under his direction in 1933-34.

This conscientious examination of Hughes' approach to foreign affairs is of value, but the specialist will find little new by way of evidence or interpretation. One reason is an excessive reliance on C. Vann Woodward's essay on the era of free security, which has gained wide currency, and on the dichotomy of realism and idealism, which has suffered from overexposure by the followers of Morgenthau and George F. Kennan. Hughes does not fit easily into that dichotomy. A second reason is that the author has been not only surprisingly superficial in exploiting archival and manuscript materials but also disturbingly undiscriminating in using secondary works. She draws heavily on dated books. A third reason is the neglect of a splendid opportunity to compare Hughes with other lawyer-statesmen of the day—Elihu Root, Henry L. Stimson, and Robert Lansing are examples—who were the predecessors of the so-called establishment that has been so influential since 1940. Perhaps nothing very new can be said about Hughes and his handling of foreign policy,

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but this reviewer would be better satisfied on that point if the author had probed more deeply into the sources, had shown a fuller mastery of the secondary literature, and had revealed greater flexibility in trying to force her subject into a preconceived interpretative mold.

RICHARD W. LEOPOLD
Northwestern University

Politics, Economics, and the Public: Policy Outcomes in the American States *by Thomas R. Dye. Chicago, Rand McNally, 1966. —xv, 314 pp. $6.00.*

The cybernetic revolution is having an ever larger impact on political science. High speed computers and techniques of analysis they invite pose a challenge to traditional political scientists. Thomas Dye's book is a good case in point: it challenges widely held ideas by the use of quantitative evidence manipulated by computer. In particular he investigates welfare policy issues in terms of political system-characteristics and economic development.

One of the accepted ideas he finds wanting is the notion that there is likely to be a low payoff for the have-nots in a state with low levels of competition between political parties. The assumption is that politicians will respond to the have-nots if the pressure of competition is upon them and will not when the responsibility for action or inaction is hardest to fix—that is, when competition is slight. Dye found a correlation between the levels of welfare payoff and state party competition, but when he controlled for state wealth the correlation almost disappeared. The correlation between welfare payoffs and economic development was considerably higher than that for party competition. Indeed, none of the political factors he used (state party dominance, party competition, political participation, and malapportionment) produced as high a correlation as the economic ones.

On the basis of these findings Dye concludes that the socio-economic factors are substantially the determinants of the policies, whereas the various aspects of the political system have little or no bearing on the responsiveness of the state in these welfare matters. He says specifically,

> Political systems are, by definition, the structure and processes which function to make public policy, but these systems do not so much mediate between societal requirements and public policy as they reflect societal requirements in public policy. Political system characteristics are much less important than socio-economic inputs in determining policy outcomes (p. 259).

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Hence this problem: much descriptive literature on state politics (especially case studies) suggests that competition scares politicians into taking action favoring the have-nots, yet the Dye analysis suggests this is not a relevant factor. In effect, he says economic development provides the capacity to afford welfare and that capacity is the key to whether a state will act. Admittedly capacity has something to do with the tendency to respond to the needs of the have-nots, but the question remains: Is it so strong a factor that political considerations are negligible?

The problem with the conclusion that economic capacity is *the* determining factor is that the wealthiest states are also the most competitive states, and the poorest are the least competitive. Hence a question of multicollinearity is raised. That is, when two variables are highly intercorrelated with each other it becomes exceedingly difficult to decide whether one of the two is more strongly associated with a third factor than is the other. And the higher the level of correlation between the two the more difficult it is to be certain that one or the other is having a decisive effect on a third variable.

Dye has not attempted one important approach for dealing with this problem, and that is to work with the residuals in his equation—that is, to examine the nonconforming states. For example, one might examine states with relatively higher payoffs than their economic conditions might suggest in terms of their competition.

Two other problems should be mentioned. One is the measure of party competition used. While Dye avoids the combination of various measures of state politics into a single index (and thereby perhaps producing a nonsense figure), and wisely uses three different measures and then runs correlations for each, there remains the problem that he does not weigh subjective factors like the character of the factional system in the parties or the level of party voting in the legislature. It is especially relevant for testing the kind of hypothesis involved here to know whether state leadership is capable of controlling votes in the legislature. That is, if the measure produces roughly similar indices for, say, Connecticut (with high cohesion) and Oregon (with low party cohesion) then the reliability of the measure *for the purpose of testing the pay-off proposition* is surely damaged. One may also question Dye's nonhistorical approach. That is, welfare policies are the product of slow, piecemeal actions, and it may not be appropriate to test this cumulative process by looking at 1954-64 competition figures. I believe a next and necessary step in this research area is to test a sequence of shorter time periods for specific welfare actions under various kinds of competitive situations.

For all the faults I find with the book, it has the considerable merit

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of raising proper doubts about the too-simple conception of party implied in the hypothesis under discussion. Indeed, Dye has made a real contribution by not only showing that this conception of party is oversimplified, but by demonstrating further that the concept of political system needs even more sophisticated treatment than he himself has achieved.

DUANE LOCKARD
Princeton University

The Spatial Dynamics of U.S. Urban-Industrial Growth, 1800-1914: Interpretive and Theoretical Essays *by Allan R. Pred. Cambridge, Mass., The M.I.T. Press, 1966. —x, 225 pp. $11.00.*

There are those who contend that a discipline is defined not by a unique body of theory and set of problems but by what its protagonists do. Equivocal as that dictum may be, it does appear to aptly characterize the field of geography. The present volume is a nice case in point. It is a geographer's offering of the economic and technological history of American cities. The Introduction attempts to establish the legitimacy of the juxtaposition. Thus history becomes "spatial process" and "spatial dynamics." And the reader is informed that a geographic theory of city and industry location is one that embellishes existing economic location theory "by taking into account irrational behavior, imperfect knowledge, other psychological variables, socially dictated constraints, and the impact of existing patterns on subsequent patterns." Having swept so much into the geographer's basket, one wonders whether the author can shoulder and carry the load.

The substance of the book is contained in three essays. The first sets forth and expands upon a model of city-size growth for periods of rapid industrialization; the second examines evidence of the effects of certain inventions and innovations on urban growth; and the third traces the transition from the mercantile to the manufacturing city in the period 1800 to 1840.

The model developed in the first essay is a simplified version of one formulated by Wilbur Thompson, the economist. It is conceived to function in a process of "circular and cumulative causation." Given "initial advantages" in the establishment of locally oriented or "threshold industries," multiplier effects come into play and are augmented from time to time by the gravitation of inventions and innovations to industrializing centers. A large part of the following discussion is devoted to demonstrating the inertia of "initial advantage" in industrial and city

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growth. But as the argument moves along it continues to expose variables which are neither contemplated in the model nor sufficiently well operationalized in the historical data to admit of their full use. In the end the explanation of differential city growth proves to be an assemblage of unweighted causes which seem to defy an orderly synthesis.

The second essay is addressed to the question of whether the occurrence of manufacturing inventions in cities was associated with size and rate of city growth during the latter part of the nineteenth century. Patent data, the limitations of which the author is fully aware, are analyzed for sixteen cities. The results do suggest that inventions are some function of city size and growth rate and to a lesser extent of the amount of manufacturing present in a city. This is taken to be evidence of the interaction between urbanization and industrialization. Now one can appreciate the exigencies that often dictate the use of a small sample and can also tolerate a self-evident conclusion now and then. But a bland acceptance of a spurious correlation as indicative of a causal relationship—such as the contention that the infrequency of inventions in Southern cities with large Negro populations points to a depressing effect of Negroes on invention—undermines the reader's confidence in everything but the author's documented data.

In the final essay the author again marshals a huge amount of interesting historical material in an effort to explain the metamorphosis of cities from mercantile to manufacturing economies and to account thereby for differential rates of growth among cities. The attempt at explanation ends in description, however, despite the use of a revised model. It appears that here, as elsewhere in the volume, the difficulty lies partly with too small a sample and partly with the author's inability to decide upon the level of generality at which he wishes to work. His professed eclecticism repeatedly diverts his attention to the particular and the peculiar, causing him to lose sight of the terms of the model. In any case, it would be by the grace of good fortune that an abstract model would find a close fit to a half-dozen cases.

In sum, it would seem that in this volume the author's reach has exceeded his grasp. As I have suggested, the fault lies largely in the strategy adopted; eclecticism does not lend itself to systematic explanation. But the trouble may also be due to the geographer's presumption that his skills are equal to any task having space-time dimensions. On the positive side, the book is sprinkled with intriguing insights and it is rich in historical lore. Its shortcomings as well as its strengths make it a provocative work.

AMOS H. HAWLEY
University of North Carolina

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European Unification in the Sixties: From the Veto to the Crisis *by Miriam Camps. New York, McGraw-Hill, 1966. —xii, 274 pp. $7.50.*

In this book on the continuing development (1963-66) of European community institutions, with special emphasis on the Common Market (EEC), Mrs. Camps reports events in journalistic fashion with depth. The volume covers the exciting period from the French veto of English membership in January 1963, through the Hallstein/de Gaulle contest of 1965, which culminated that mid-summer in the refusal of the French to take part in either the Council or meetings of the Committee of Permanent Representatives, and its aftermath into the spring of 1966. The chronology itself is interspersed with paragraphs and at times entire chapters devoted to interpretation. The book ends with two essays in the nineteenth-century tradition of speculation about grand policy for present-day decision-makers of Europe and the United States.

The tragic communication gap between those active in the policy community and those working in the academic community is dramatized in Mrs. Camps' work. She has confidence in her intuitive assessments, framed in such assertions as, "it is generally agreed . . ." (p. 115) and "the central issue . . . will presumably be . . ." (p. 227). Mrs. Camps relies extensively upon contemporary editorial opinion from the elite periodicals, such as *Le Monde* and *The Times* of London. Even in working with the concept of "spill-over," she has no interest in the work of such scholars of functionalism as David Mitrany and Ernst Haas. In fact, although this volume was commissioned as a part of The Atlantic Policy Studies undertaken by the Council on Foreign Relations, Mrs. Camps doesn't even enter into dialogue with the policy-relevant works of her co-authors in the same series—Brzezinski and Kissinger—whose works were published about a year before she completed her writings.

Mrs. Camps conclusions are commonplace: "Everyone had lost a few more illusions; the Common Market had not broken apart; the Six had decided, once again, to try to live with their differences" (p. 124). Mrs. Camps' forecasts are problematic:

> . . . it seems probable that the process that has been going on fitfully but steadily since the war will continue and that the states now joined in the European Community plus, at a minimum, the United Kingdom, Denmark, Norway, and Ireland will progressively integrate their economies and tend increasingly to conduct their external affairs in concert (p. 246).

And she makes many statements about the future despite her earlier proclamation of "the folly of making predictions" (p. 196). The implicit smugness of her approach, albeit couched in modest language, precludes

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the scholarly development of her occasional insight. The covert dogmatism of her intuitions prevents her from developing policy-rich alternatives, from which decision-makers might work.

After reading Mrs. Camps' book—a sequel to her *Britain and the European Community, 1955-1963*—one wonders why the Council on Foreign Relations tolerates norms in the execution of its work which seem neither to meet those of the contemporary scholar or those imperative to creative and circumspect policy work.

HAROLD GUETZKOW
Northwestern University

Das Ende des Dritten Reiches: Die Deutsche Kapitulation 1945 *by Reimer Hansen. Stuttgart, Ernst Klett, 1966.—247 pp. 19.80 DM.*

It is difficult to find a parallel for the end of the Third Reich. German historians have compared it with the catastrophe of the Thirty Years' War, with the dissolution of the Holy Roman empire in 1806, and with the end of the First World War; but the German Reich survived 1648, 1806 was a symbolical rather than a real turning point in history, marking a change that had already taken place, and in 1918 a regime was destroyed but not the sovereignty of Germany as a whole. In contrast, 1945 marked the total destruction of a thousand years of history, an absolute nadir that justified those Germans who described this fateful year as *Jahr Null.*

At least, this is the view of Reimer Hansen, and because he feels this way he has thought it important to write a detailed study of the last days of the Hitler Reich, emphasizing the agonized attempts of German political leaders to avoid the fate that their ambitions had made inevitable. In doing so, he has directed his attention principally to three aspects of the story: the unconditional surrender policy of the Grand Alliance, the vain attempts of Hitler's associates to make deals with their antagonists in the days when Allied forces were converging on their capital, and the regime of Admiral Doenitz and the way in which he approached the question of capitulation.

Mr. Reimer points out that, once the Allies agreed upon the policy of unconditional surrender (and he is interesting in his treatment of Soviet ambivalence with respect to a policy that did not accord with their interests until their troops entered Poland) there were no options left to the Germans except capitulation or a hopeless fight to the end. Most

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of his account is a description of mothlike flutterings against this flame on the part of Hitler's paladins, like the well-known negotiations of Himmler in Sweden. More interesting is his section on the Doenitz period, which includes a useful bibliographical essay, and which shows that, in a hopeless position, Hitler's successor was able to eke out a few small advantages in the way in which the inevitable surrender was carried out, saving about two million soldiers from captivity and arranging to have West Holland, Norway, and Denmark surrendered without needless bloodshed. On the other hand, Mr. Hansen's picture of Doenitz is so generous as to be uncritical. He seems willing even to believe that the admiral knew nothing of the concentration camps until after he had taken over from Hitler, although the capture of Buchenwald by the Allies six weeks before that time had made its horrors known to all the world.

GORDON A. CRAIG
Stanford University

The Development of Technical Education in France, 1500-1850 *by Frederick B. Artz. Cambridge, Mass., The Society for the History of Technology and The M.I.T. Press, 1966.—x, 274 pp. $7.95.*

France occupies a prominent place in the history of technical education. Its Ecole des Ponts et Chaussées, founded in 1747, was the world's first school of engineering. Its famed Ecole Polytechnique, a creation of the Revolution, served as a model for scientific and engineering schools the world over, notably in Germany and for early U.S. engineering schools such as West Point and R.P.I. In this volume Professor Artz, who in a long and fruitful career has made several notable contributions to European political, cultural, and intellectual history, returns to a subject in which he has for long maintained an interest.

The book is divided into four substantial chapters dealing with, respectively, the sixteenth and seventeenth centuries, the Age of Enlightenment, the Revolutionary and Napoleonic era, and the Constitutional Monarchy. Within each chapter, in addition to discussing the distinctive feature of each era, the author treats systematically technical education in elementary and secondary schools, trade schools and adult education, advanced technical schools, and military and naval education. He does not mention the universities, in which scientific study was almost as backward and neglected as technology, nor the Ecole Normale Supérieure, a more serious ommission because of the excellence of its

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scientists. The sixteenth and seventeenth centuries witnessed notable advances in educational theory (some of it surprisingly modern in substance), and many plans and projects, but few concrete realizations. The eighteenth century was even more prolific in theories, plans, and projects, and actually created a few important institutions, such as the Ponts et Chaussées and the Ecole des Mines. In the Revolutionary and Napoleonic period the planning and projecting (based largely on earlier theories) reached a fever pitch; a number of important new institutions were created (and sometimes eliminated within a few months or years) and many old ones reorganized; but the turmoil of the times prevented solid realizations in spite of the creativity of the period. Finally, the era of peace after 1815 saw the consolidation and solid achievement of the promise inherent in the Revolutionary institutions, as well as the creation of one important new institution under private auspices, the Ecole Centrale des Arts et Manufactures. By the mid-nineteenth century France reached its peak as a leader in technical education.

One is struck by the continuity in advanced or "progressive" educational theorizing, as well as by the sluggishness of educational practice. As early as the seventeenth century such luminaries as Bacon and Descartes criticized the emphasis on rhetoric and rote learning and advocated combining theoretical and practical training and "learning by doing." One wonders why they had so little influence on educational practice; unfortunately, Professor Artz does not attempt to answer the question. On the other hand, given the poor facilities, the inadequate finances (of even the military schools), and the constant reorganizations to which they were subject in the eighteenth and early nineteenth centuries, the remarkable thing is that the schools accomplished so much. The excellence and renown of French technical education in the first half of the nineteenth century also poses a problem: why was France not more vigorous and dynamic as an industrial leader? A full analysis of the problem would be very complex, of course; but the role of education must surely be involved. Although Professor Artz does not attack the matter frontally, he provides elements of an answer almost incidentally. In general, one can say that the French stressed quality at the expense of quantity. The advanced schools were very good, but they were also very few in number and with severely limited enrollments. Elementary and secondary education for the masses was neglected, on the other hand. In fact, Professor Artz concludes that in both quantity and quality, primary and secondary education were at lower levels in 1815 and even as late as 1830 than in 1789.

RONDO CAMERON
University of Wisconsin

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DeGaulle and the World: The Foreign Policy of the Fifth French Republic *by W. W. Kulski. Syracuse, Syracuse University Press, 1966.—xvi, 428 pp. $8.50.*

The surprise of French visitors to the United States at what appears to them an intensity of inimical feeling, greater than the anti-Americanism in France of which we often hear, is a measure of the gulf of misunderstanding that has grown between our oldest ally and ourselves. The peculiar ways of the French President seem calculated to widen the gap of irritation which he has so successfully produced. This makes it especially appropriate that a balanced appraisal of the Fifth Republic, its policies, and its personification should be presented to the American reader.

The most fundamental facts in the French situation are two, the wartime collapse and the subsequent recovery. It may be pointed out that General de Gaulle had little to do with either. His wise military counsels before 1940 had been ignored; the bases of French recovery, demographic and economic, were laid while he was out of office. But the Fourth Republic failed in the political domain, being incapable of producing governmental stability at home and of dealing with the imperial situation abroad. The two difficulties became intertwined through the Algerian war until there was virtually unanimous consensus that de Gaulle alone could save the situation.

This he successfully did, creating the Fifth Republic and liquidating the French empire. However romantic he may be about his country, de Gaulle is a hard-headed practitioner of *Realpolitik*, meaning that he deals in power.

But power is complex. The basic material components of it can be objectively appraised; they are fundamentals, the sight of which must never be lost. But the manipulation of power, the imponderables, can be no less important (*vide* de Gaulle himself during the war). This is his own preserve. That from the depths of 1940, or even 1945, France should have achieved a position of rough parity with Germany and Britain may in itself be regarded as a surprising comeback. Having freed her from the hampering sterility of imperial stalemate, de Gaulle has capitalized on the advantage. The image he has succeeded in creating abroad is to a large extent a personal accomplishment, but one should not confuse passing shadow with solid substance. The question, therefore, resolves itself into how much of a position and role France can expect to have in the world. The methods used have been characterized by complete catholicity of approach, sometimes mistaken for inconsistent fickleness. The anti-American stance is a coldly calculated move.

The detailed analysis of these methods and of the various possibilities envisaged is the substance of this book. It is thorough and balanced; its

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theme and conclusion emphasize the clash between various aims: "General de Gaulle is caught in a dilemma: either to make a common front with the Third World or to claim for France a place on the directorate of great powers, to be the leader of the medium-sized and small nations or to be one of their five rulers" (p. 389). This at least is one of the dilemmas, but it should also be remembered that it is a national, rather than a personal, problem and by no means a uniquely French one.

RENÉ ALBRECHT-CARRIÉ
Barnard College

Antonio Gramsci and the Origins of Italian Communism *by John M. Cammett. Stanford, Stanford University Press, 1967.—xiv, 306 pp. $8.50.*

The publication of John Cammett's study on Antonio Gramsci and the rise of the Italian Communist party (PCI) constitutes a significant event in the progress of American scholarship on modern Italian social, ideological, and intellectual history. An endeavor to deal with merely some phase of Gramsci's life or with some aspect of his political thought would have been challenging enough–and yet Cammett has bravely and, on the whole, successfully grappled with the whole biography of the Italian Socialist thinker and leader of the PCI to the eve of his arrest in 1926. To this endeavor Cammett has added the truly forbidding task of entering into the "dark forest" enveloping the origins of Italian communism, a quasi-Dantesque *selva oscura* at whose gates stand the frightful beasts of secrecy of strategic motivation, mystery of tactical objectives, and, withal, the inaccessibility of archival sources. (It may be of some interest in American scholarly circles that this reviewer personally heard at the Perugia Congress of Italian Historians early in October 1967 a public statement made by a high personage from the present-day Italian Marxist intelligentsia—Professor Gastone Manacorda—to the effect that hereafter the archives of the PCI are to be open to "qualified" researchers from all or no ideological "camp"—and it is to be hoped that deeds will follow the promise.) That, despite all those and other difficulties, Cammett has succeeded in bringing to the forefront of professional attention in the United States and elsewhere one of the most original figures in modern Italian and European political history has gained him a debt of intellectual gratitude from all those who do not believe that Barzini's book has said the last word on the "character" of "the Italians." Neither will it be possible for many good-intentioned

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people to generalize on the nature of post-1945 Italian communism as if it sprang from the head of Jove or of Stalin and Palmiro Togliatti after the fall of fascism in Italy. For historians of contemporary Italy and Europe and for political scientists, Cammett's book will hereafter be an indispensable work of reference. With its guidance it is now possible to delve into and begin to unravel a number of very important aspects of the politics of communism during the Stalinist period. No less significantly, Cammett offers a sustained and organic view of a variety of Marxist thought—Gramsci's theorization of the "philosophy of praxis"—that was as rich and original as it was influential in Italian intellectual and cultural circles after the Second World War when Gramsci's "Prison Notebooks" (the *Quaderni dal Carcere*) began to be "officiously" issued.

Within the context of Gramscian studies and of the early history of communism in Italy, Cammett's book marks at the same time a point of arrival and of departure: it amounts to an excellent summation of Gramscian exegesis to the closing, indeed, apparently closed, *expository* phase and the opening of a new *critical* stage of serious study of Gramsci's role during the formative years of the PCI before and after the Livorno Congress of 1921. Aside from the perceptive interpretation which Cammett gives of much of his material, a careful look at the documentation and bibliography in his book (pp. 222-97) will quickly reveal that they constitute a precious compendium of "available" sources but, at the same time, they also contain tantalizing references to newer works, documents, essays that, for one reason or another, will need further and fuller investigation and a closer integration with those parts of the *corpus* of *gramsciana* which were either not available or which appeared to lie outside the economy of labor and purpose of Cammett's study. Unfortunately, limitations of space do not permit a critical particularization concerning some crucial developments that have occurred in Italian documentation and scholarship on Gramsci since Cammett's book went to press.

Cammett's reconstruction of Gramscian thought represents, in this reader's view, the best, clearest, and most perceptive, parts of his study. Apparently Cammett's own intellectual sympathies—and it is difficult not to share them in substance though not necessarily in certain emphases—go to the "free" Gramsci, to the well-nigh Sorelian voluntaristic syndicalist, of the pre-Livorno period, before the Sardinian Socialist became enmeshed in the web of PCI and international Communist politics, and to the chained activist of the prison years when, paradoxically, Gramsci was almost absolutely "free" to pit his unique intelligence against his fate and, through the writing of his *Quaderni*, to defy those

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contingent but inescapable political and ideological pressures that, had he remained physically free, might ironically have imprisoned his mind just as the Fascist dictatorship shackled his body for eleven years (1926-37). Perhaps, after all, it is in the way in which Gramsci resisted and resolved for himself the tragic existential dilemma implicit in his position within the PCI at the dawn of the Stalinist iron-day in Soviet and international Communist quarters that the truly "heroic" proportions of his moral personality reside. In those parts of his book in which John Cammett treats of the "free" Gramsci he has done his exceptional subject worthy critical homage and his own bio-historical sensibility excellent credit.

A. WILLIAM SALOMONE
University of Rochester

Pilsudski's Coup D'Etat by Joseph Rothschild. New York and London, Columbia University Press, 1966.—xii, 435 pp. $10.00.

Poland's interwar history is closely associated, if not identified, with the name of Jozef Pilsudski, her first chief of state, and at various intervals her prime minister, war minister, chief of general staff, inspector general of the armed forces, and even president-elect who declined the honor. If there is anything that can be traced as a nation's temperament, Pilsudski was the embodiment of Poland's virtues as well as pitfalls—courageous, patriotic, sincere, talented; but also romantic, lacking in political sophistication, with a sense of grandeur. Any scholarly work about Pilsudski's political career is bound to be as gratifying as it is risky.

Professor Joseph Rothschild presents us with a superb achievement. He traces Pilsudski's activities against the background of Poland's politics, the disruptive attitudes of her political parties, corruption, financial crises, lack of administrative experience, and generally chaotic situation. Pilsudski was resolved to remove all these "infections" from the Polish national body; while professing moderation, dedication to freedom, and legality, he acted as an energetic surgeon to keep the "infections" from spreading, but finally he had to rule as a dictator.

In May 1926 Pilsudski staged his famous, or infamous, coup. Rothschild, first setting the scene, leads us with a firm hand through the utterly complex web of Polish politics and, then, with a sense for dramatization without, however, sacrificing his thorough scholarship, he unfolds with a masterful style, hour by hour, the tragedy of a divided nation, torn by

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the split loyalties of its military commanders and political confusion. Ironically, Pilsudski's victory was made possible by the proclamation of a general strike, called by his former political associates in the Polish Socialist party whom he later denounced and had jailed. With all his contempt for democracy, he instituted inexorably an authoritarian regime, without solving any problem of Polish internal or external politics. The bewildering crux of his position stemmed from the sad fact that he did not, nor did his "colonels," really understand the socio-political and economic problems of their country. Had Rothschild followed Pilsudski's activities beyond 1930, until his death, the narrative would have vindicated his analysis even further. Had he gone into greater detail on Polish foreign policy, Pilsudski's political profile would have been even clearer.

Poland's geopolitical position was exposed to a point of permanent critical relations with her neighbors. Relentlessly pressed by the Soviet Union and Germany, she faced an equally hostile Lithuania and looked with scorn upon Czechoslovakia. She wished to play the role of a protector of Esthonia and Latvia and maintained friendly but paternalistic relations with Rumania and Hungary. She was suspicious of the League of Nations and cool to the friendship of France. This was an unconstructive concept of foreign policy, but very characteristic of Pilsudski, who was in many respects a great man and wished Poland to play the role of a great power, with no relationship to reality.

Rothschild's book is admirably written and well balanced; it reflects incisive analytical perception and its scholarship, based on an outstanding knowledge of original sources, is immaculate. A brief review cannot do the book full justice.

JOSEF KORBEL
University of Denver

Look East, Look West: The Socialist Adventure in Yugoslavia *by David Tornquist. New York, Macmillan, and London, Collier-Macmillan, 1966.—310 pp. $6.95.*

For two years David Tornquist, a young American journalist, lived among the Yugoslavs and applied himself to the task of understanding Yugoslav socialism. This book records his impressions of Yugoslav life, including visits to factories and state farms, travels about the countryside, and even his experiences with Western scholars and businessmen passing through Yugoslavia.

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Tornquist has not made a great effort to become familiar with the complexities of economic policy and the political factors which have played such an important role in Yugoslavia's development. Factual errors concerning Yugoslavia's history appear from time to time. But probably no other book has come so close to recording the spirit of present-day Yugoslavia, a country characterized by immense hopes, endless confusion, bitterness, and impatient expectations for a better future. The material dealing with the author's own experience with workers' self-management (Tornquist worked in a Yugoslav publishing house during his stay in the country) is exceptionally good, and should be read by anyone wishing to gain insight into the problems facing the development of workers' councils in Yugoslavia.

Also, despite his lack of specialized knowledge, Tornquist has succeeded in raising basic issues concerning the Yugoslav experiment which are all too frequently evaded by Western reporters. Tornquist is interested in establishing whether the Titoist system can be made to work within its own frame of reference: if he is terribly uncertain over the future of Yugoslav communism, it is because he is trying desperately hard to be fair without closing his eyes to the shortcomings of the system.

Although the scholar may feel that this volume does not pay enough attention to the economic and political forces guiding the development of Yugoslav communism, few persons have written about the day-to-day operation of the system as intimately and vividly as Tornquist. There is merit in his deliberately naïve approach, for by avoiding complex issues of policy he has been able to see and describe Yugoslavia from the perspective of its people. In his alternating moods of optimism and despair over what he has witnessed, Tornquist transmits to the reader remarkably well the feelings which prevail among most sensitive Yugoslavs today concerning the future of their country.

PAUL SHOUP
University of Virginia

Soviet Economic Controversies: The Emerging Marketing Concept and Changes in Planning, 1960-1965 *by Jere L. Felker. Cambridge, Mass., and London, The M.I.T. Press, 1966. —x, 172 pp. $5.95.*

Since the middle nineteen-fifties a veritable revolution has taken place in the published Soviet economic literature, an intellectual upheaval and explosion that bears comparison with the Keynesian revolution in West-

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ern economics after 1936. Both were prompted by pressing and deep-seated difficulties in the respective economic systems, though the one addressed itself primarily to micro-economics, the other, to macro-economics. To be sure, important differences are to be noted: the Soviet Economic Revolution (SER) has been (so far) less original than the Keynesian, largely incorporating, or at least rediscovering, Western micro-economics; and, unlike the other, it owes its genesis and development in good measure to the relaxation of political controls over the realm of ideas. In 1965 a reform of certain economic institutions was announced in the U.S.S.R. which—in as yet limited but nonetheless palpable degree—reflects the SER. Unfortunately, this book, the first in English largely devoted to the SER and some related institutional reforms, is something of a disappointment. It tries to do, at once, too much and too little.

As the subtitle suggests, the book keeps one eye on the putative emergence in the U.S.S.R. of the "marketing concept," the notion that business-management decisions are oriented toward the customer and not toward production for its own sake. It is, of course, true that—at least in regard to consumer goods—there has been in the Soviet Union a notable increase in the attention paid to the customer, although one must bear in mind the abysmally low levels from which this improvement is taking place. Much of this positive development is in the retail-distribution sector, but improvement is also occurring at the wholesale and manufacturing stages. Some of the more useful and informative sections of the book consist of detailed accounts of the steps lately taken in this direction in the U.S.S.R. The rest of the book consists mostly of discursive accounts of the Marxian economic heritage, Leninist and Stalinist economic theories (or lack of such), aspects of what we have here termed the SER, certain experiments in the management of industry that were introduced in the first half of the nineteen-sixties and that culminated in the 1965 Reform. This includes fairly extensive sections on the traditional (Stalinist) principles of wholesale and retail price setting, the so-called debates on the law of value and price formation since 1956, and the author's critique. Regrettably, this discussion has at least two shortcomings. First, it is not always closely related to the remainder of the book, that is, to the discussion of the marketing concept and of developments in marketing at the level of retail distribution (the theories and reforms in question pertaining predominately to *producer goods* and *their* prices). The result is a rather unbalanced book; the author would have done better to concentrate on one or the other topic. Second, while the discussion of the SER and related institutional reforms contains much detailed information and many useful references to Soviet sources, it is unfortunately not on a high theoretical or analytical level. Nor does it make up for this

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weakness by careful attention to broad politico-economic issues (which are, of course, there). As a result, the book is unlikely to be very valuable to either the specialist or the non-specialist (particularly, the non-economist), although the former may find the factual accounts and the substantial bibliography helpful.

GREGORY GROSSMAN
University of California, Berkeley

Political Participation in Communist China *by James R. Townsend. Berkeley and Los Angeles, University of California Press, 1967.—viii, 233 pp. $5.50.*

This exemplary monograph analyzes the Chinese Communists' long-term effort to make peasants into citizens who will "consciously and voluntarily" participate in executing the party's aims. Mr. Townsend summarizes with admirable succinctness China's "traditional" polity under the Ch'ing dynasty and its modern changes in the "transitional" era down to 1949; the growth of the CCP concept of mass participation in the Kiangsi and Yenan periods; the vicissitudes of its development after 1945; and the main forms of mass participation in the state structure and in non-governmental agencies like mass organizations, residents committees, and production teams down to 1965.

This very concise and cogent discussion has the special merit, it seems to me, of demonstrating the old adage that to grasp China in terms of political science requires a prior grasp of Chinese history:

> Like the KMT's concept of tutelage, the CCP concept of participation placed more emphasis on education and elite leadership than on representative democracy. . . . It worked partly because of . . . certain values that had strong traditional appeal, primarily the idea of study as a road to reform and self-improvement and the insistence that political leadership derived its legitimacy from dedication to moral principles (p. 214).

In short, no matter how great the modern innovations, the distinctive Chinese tradition remains a silent partner in the new order. The old ideal of stability may have given way to progress, harmony to struggle, dynastic despotism to party dictatorship, and Heaven's mandate to populism. But the ancient lineaments of rule by an indoctrinated elite rather than through legal institutions still show through in a distinct configuration: "supremacy of the collective interest," "dictatorship of the proletariat" (through the party), and the "mass line" (to secure popular execution of policies), all inspired by "activism and political consciousness" as instilled by the leadership's teaching.

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All this is quite different from our Western syndrome of supremacy of law, individual rights, due process, popular sovereignty, and representative government. Mr. Townsend prudently does not try to forecast whether continued modernization may bring China closer to the Western pattern. But the bulk of his analysis suggests that any such convergence will take a long time. His careful study shows how the state structure of people's congresses at *hsiang* (township), *hsien* (district), and province levels has gradually shrunk and atrophied. Basic-level elections held in 1953-54, 1956-57, 1958, 1961, and 1963, steadily lost importance. In the same period, legal processes and institutions also withered away.

In place of these formal state institutions, the party took an increasingly direct hand in administration, mainly through its activists working as "leadership cores" in rural production teams as well as in residents' committees, factories, and schools, well below the basic level of government. Yet the continued efficacy of this government of men remains uncertain. Ever since the "100 flowers" contretemps of 1957 Mr. Townsend traces a decline in the voluntarism of mass participation and an increased party effort to counter this by ideological indoctrination. Despite the overall "organizational success" there have been increasing "strains in the mass line" and there seems to be a constant danger of the revival of particularism.

Mr. Townsend's fine study was completed before Chairman Mao's seismic upheaval of 1966 but it nonetheless offers illuminating perspectives on recent events: thus the Great Cultural Revolution campaign seems to represent Mao's rather anarchistic anti-institutional bias and a senescent faith in his own vision of a docile Chinese mass of true-believers. This volume stimulates many questions for ongoing research: is the mass participation of the Maoist era actually an unstable transitional system, a tutelage or half-way house between Chinese tradition and eventual modernity? Or is there an essential Chinese way in politics that underlies the Maoist model? Will these inherited Chinese values continue to keep individualism emasculated, expert specialization under the wraps of conformity, and everyone in authority manipulating everyone else to combine dutiful action with verbal morality? Mr. Townsend is too sound a scholar to belabor such broad generalities but his book provides a solid take-off point.

J. K. FAIRBANK
Harvard University

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Japan's Quest for Autonomy: National Security and Foreign Policy, 1930-1938 *by James B. Crowley. Princeton, Princeton University Press, 1966.—xviii, 428 pp. $9.00.*

This is a clearly written and forcefully presented study of Japan's foreign affairs between the London Naval Conference of 1930 and the Konoe declaration of January 1938. It is probably the first of its kind in a Western language that tries to penetrate standard frames of reference and reconstruct the past around a new set of conceptions.

The basic conceptual framework Crowley presents is that of national security. He argues that certain national security considerations led to the Manchurian incident of 1931, which in turn necessitated reorientation of strategic thinking. As new security problems arose, there was a corresponding increase in the role of the supreme command in Japanese decision-making. Underlying all these developments was the overriding question how to preserve Japan's military autonomy. Concepts such as "total war," "national defense state," and "self-sufficiency" interacted with specific strategic goals (for instance, to prevent the combined hostility of the United States and Britain) and determined the actual course of Japan's foreign relations in the decade.

An important corollary of this focus on security is the author's analysis of army factionalism and fanaticism. Since the security question is essentially a "rational" one, necessitating realistic calculations or risks and evaluations of capabilities, military policy could never be and was in fact never left in the hands of young fanatics. These, Crowley suggests, should be relegated to their proper, that is, minor, role in Japanese history. Senior military leaders, on their part, desired drastic national reconstruction in order to prepare for total warfare, but they could not tolerate impetuous action by immature cadets.

Holding consistently to his major thesis, the author refuses to use words such as "aggression" and "invasion" when discussing Sino-Japanese relations in the thirties. Japanese behavior in Manchuria, North China, and finally in the rest of China is examined, not as a premeditated crime against the neighboring country, but as part of the new conception of security which the military were trying to put into effect. One gets the impression that the short-lived cabinet of General Hayashi comes close to the author's ideal type; Hayashi tried to carry out national security policy without recourse to force abroad or hysteria at home. The succeeding Konoe cabinet set the stage for national disaster, but Crowley argues that Konoe did not radically depart from the basic defense policies set by his predecessors, and lauds the Prime Minister's attempt to reunify the line of command and implement a consistent China policy.

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The book blames the ultimate failure of Japanese policy on the infatuation with the Imperial and pan-Asianist ideas that were not supported by a realistic appraisal of military capabilities.

There is a risk in writing about a period as recent as the nineteen-thirties, when fresh evidence is uncovered literally every day. There is relatively little new in the facts that the author has marshaled, and he has missed some pertinent facts. There are certain errors in the spelling of personal names. But the book's value lies in its superb organization, systematic analysis, and the fresh meaning it gives to well-known facts. No other book has done so well the job of discarding old clichés and laying the groundwork for new interpretations.

AKIRA IRIYE
University of California, Santa Cruz

The Revolution in Egypt's Economic System: From Private Enterprise to Socialism, 1952-1965 *by Patrick O'Brien. London, New York, and Toronto, Oxford University Press under the auspices of the Royal Institute of International Affairs, 1966.—xvi, 354 pp. 55s.*

Despite the apparent purity of the two terms in his subtitle, private enterprise and socialism, Mr. O'Brien shows us, in this able and comprehensive study, that there was a great deal of government control over economic affairs in Egypt in the three or four decades before the advent of military rule in 1952, and that the large-scale nationalization of the early nineteen-sixties has not led to much socialism in the sense of "distributive justice."

The author, lecturer in the London School of Economics, presents a detailed analysis of the nature and achievements of the Egyptian economy since 1952, against the background of its development since the early nineteenth century. He does so on the basis of an enormous number of primary sources as well as the most important secondary ones (though, among the latter, he often cites Charles Issawi's works in footnotes, he leaves them out of the long bibliography).

Mr. O'Brien divides economic history under the military regime into three periods. In the first, 1952-56, the officers had no "economic ideology," were "preoccupied with consolidating their power and expelling the British," and so did not depart seriously from the economic policies of the regime they had overthrown (pp. 68-69). In one of the most valuable contributions of the book, the author shows how the reformers mere-

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ly extended certain progressive measures already taken, even to the point of seeking to galvanize private enterprise.

Dissatisfied with the pace of change and having consolidated its position, the regime entered the second period, 1957-60, characterized by the introduction of planning and more direct governmental participation in the ownership of industry and the formation of capital. As before, it continued to encourage private industry, but now it was at the same time undermining and bypassing it deliberately and steadily.

In 1961, following some important nationalizations in the previous year, the military regime entered its third period, in which most industry and commerce is government-owned and the whole economy is tightly controlled, though the private sector of the economy was expected, as late as 1962-63, to produce double the output of the public sector.

Why, Mr. O'Brien asks, did the regime turn steadily toward Socialist enterprise? His answer is that ideology had little to do with the transition, which came because the officers adopted measures that inevitably discouraged private enterprise and so propelled them farther and farther on the road to government ownership (through confiscation and expropriation) as well as control. Though he shows familiarity with non-economic factors, Mr. O'Brien, in seeking an explanation of the turn to socialism, overlooks the effect of the events of early 1954, when constitutionalism, political parties, and a freer economy seemed about to return until the officers rallied and put down the threat to their power and policies. The vision disturbed them, however, and they have since simply refused to share power; this is why they do not abide private enterprise (political or economic).

For all the vast changes the officers have introduced, Mr. O'Brien, using the calculus of welfare economics, refuses to grant them their claim to a "social revolution." The impact of nationalization and redistribution, he concludes, has been too limited. "Those who have gained most," he says, "seem to have been the middling peasants, the employees of corporate industry and commerce, and middle-class tenants of rented accommodation, three groups who altogether form no more than a small and privileged minority of the population" (p. 213). Nor does Mr. O'Brien grant the regime's claim to having created a more efficient economy; the question may be posed and analyzed but the available data are insufficient to permit a definite answer. The regime is trying to create the institutions that will encourage efficiency and put them into the hands of more able men, the author says, but his study does not bear out this relatively optimistic judgment. There has been much talent in Egypt, but its governments have been suspicious of it, smothered it, and sought more to suppress than to release it under an appropriate balance of incentives

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and controls. As in other countries, the government in Egypt seeks to control all aspects of the life of the people before the people have learned how to control the main activities of the government.

MORROE BERGER
Princeton University

Reluctant Pioneers: Village Development in Israel *by Alex Weingrod. Ithaca, Cornell University Press, 1966.—xv, 213 pp. $5.75.*

This is one of the best studies published on the absorption of Jewish immigrants into their new life in modern Israel.

The author, a social anthropologist, chose for his study a cooperative village, a *Moshav* (a type of agricultural community which demands from its members less intense cooperation than the Israeli Kibbutz). The Morrocan Jews who constitute the inhabitants of this village settled in it in 1954 upon their arrival in the country. Weingrod lived in the village for eighteen months and in the following years returned for short regular visits. He was thus able to study changes which the community underwent from 1954 to 1962.

This is a study of social change directed from the outside, since the immigrants' village, like most other immigrant communities in Israel, was administered from outside by a number of governmental and other public agencies. The policies of these agencies and the relations between them and the settlers became the focus of this investigation. Moreover, the study shows that many developments within the immigrant community were unanticipated consequences of these relationships, rather than a result of the planning of the Israeli authorities.

The author demonstrates how the official ideology of the receiving society and its social structure, and the socialist ideology of the cooperative movement in particular, affected their policies toward the immigrants. The immigrants did not always readily accept their dependence on the Israeli institutions. Their choice between acceptance or resistance to these policies was related to their own cultural and social background, which made some directives of the Israeli authorities more acceptable to them than others. Furthermore, cultural differences between the receiving society and their own limited the points of contact between the two communities and restricted the impact of the Israeli organizations on the new immigrants.

A number of observations made by the author of this study are of interest to students of social change. Weingrod claims that the success

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or failure of change directed from the outside depends largely on the internal structure of the affected community, even if it is not taken into account by the planners, as was the case in Israel.

A comparison among a number of agricultural immigrant settlements in Israel suggests that the rural background of most inhabitants in the village studied by Weingrod may have facilitated their success in building an agrarian community, while the urban background of dwellers in a neighboring village prevented the success of the latter. Or, the fact that most immigrant villagers in the first village belonged to two dominant kinship groups helped create a stable community, while the lack of such kinship ties in the neighboring community contributed to its disintegration.

Another important observation made by Weingrod, a point often neglected by sociologists, is that changes took place in the receiving society as a result of its relations with the new settlers. Cultural contact is a reciprocal process and affects all the groups in contact. Thus, for example, the official Settlement Department and the whole cooperative movement of which the settlers became a part changed their ideology as well as their structure. "Although the village instructors sought to cast the *Moshav* ideals upon the settlers," argues Weingrod, "quite the reverse process occurred: the settlers changed the *Moshav* system to accord with their own ideals . . . . The settlers who were placed within a framework in order to be changed by it changed the framework instead."

YONATHAN SHAPIRO
Tel-Aviv University

Political Change in a West African State: A Study of the Modernization Process in Sierra Leone *by Martin Kilson. Cambridge, Mass., Harvard University Press, 1966.—xiii, 301 pp. $6.95.*

This book should be received with enthusiasm by those who question elitist and functionalist approaches to African political development. Kilson's view is influenced by Marxian thought and his book is one of the few serious applications of class analysis to African politics. While it is a case study of a small country, its significance is enlarged by many comparative references to African politics in general.

Kilson's explanation of political change proceeds on two main levels that are not easily bridged. First, by means of class analysis he clarifies a number of basic trends in African politics, among them the

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embourgeoisement of traditional authorities, the transformation of mass participation independence movements into bourgeois dictatorships, and the generation of conflict between nationalist elites and other sections of the population.

At a second level, Kilson goes beyond class analysis to argue that the "mass," or traditionalist peasantry and embryonic working-class, has been and will continue to be the decisive factor in political change. In fact, he contends, the nationalist elite triumphed largely because it was needed by the colonial government to mediate its own relationship with the masses. This approach puts the colonial state, rather than the nationalist elite, in the center of analysis as the main modernizing agent of colonial society at large.

Under African conditions, it may be difficult to reconcile an attachment to the paramount importance of the "mass factor" with a true appreciation of the growing power of the managerial bourgeoisie. Kilson is wisely wary of a prevalent notion that the actions of the elite are largely free from popular constraints. In explaining the nature of antagonistic relationships between the elite and the mass, he does not overlook the complex social ties that bind the "classes" and the masses together in African society. But these observations do not in themselves go to show that the rural mass is either the primary or the most radical force in African politics. Under certain conditions, as in the Congo, rural protest appears to have been decisive in shaping the nationalist movement. For the most part, however, this reviewer is inclined to regard the emergent bourgeoisie as the most dynamic social and political force in both colonial and post-colonial Africa. Even in China, the leading role of the peasantry may be doubted, Mao Tse-tung to the contrary notwithstanding.

Why, after all, should the masses be radical? Kilson credits the modernizing effects of the colonial state. Since modernization entails class formation, the most radical masses should be the most modernized, namely the urban proletariat. But this is not the case in Africa. Were it so, the "mass factor" would be translatable as class action.

In his treatment of party politics, Kilson strikes a more conventional note. He argues that persisting traditional values are incompatible with the survival of democratic politics and that dictatorship is likely to prevail during the post-colonial period. However debatable his rationale for this dismal conclusion may be, recent events in Sierra Leone have certainly fulfilled his prophecy.

RICHARD L. SKLAR
University of Zambia

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Ghana: End of an Illusion *by Bob Fitch and Mary Oppenheimer. New York and London, Monthly Review Press, 1966.—x, 130 pp. $3.50.*

This attempt to explain the success of the Ghana coup is also a concise analysis, along Marxist lines, of Ghana's recent history. The conclusion, in a nutshell, is that Nkrumah's fall was not a failure of Marxism, but a failure, on Nkrumah's part, to pursue sufficiently Marxist policies. The book, though far from successful, is too interesting to be dismissed as nothing more than a mirror image of W. F. Buckley's explanation that liberal Republicans lose to liberal Democrats because they are not conservative enough.

The Convention People's party rose as a champion of petty bourgeois interests, we are told. Its leadership consistently showed a willingness to abide by the ground rules of neo-colonialism and thereby betrayed the radical enthusiasm of the Ghanaian workers. To attempt to produce economic growth through a reliance on the forces of neo-colonialism was not recognized by the CPP leaders as a contradiction. (W. A. Lewis will be amused to learn that this was during the "Lewis period" in Ghana's history, the late nineteen-fifties.) The resulting failure of the economy gave rise to another internal contradiction: the political elite could not consume the small economic surplus and simultaneously satisfy the growing demands of the masses and the new elites. So when the regime was so handily toppled by the army and the civil servants, who were not only dissatisfied but also more British than African, the masses rejoiced. Foreign supporters of Nkrumah, instead of being shocked by his downfall, should have recognized the folly of simultaneously trying to use neo-colonialism and to attack it, particularly without the support of the masses.

The vocabulary is familiar, but the analysis is not dull. Some of the propositions could be tested and there are some good studies of particular problems, for example, the explanation of how the policies of the marketing board, both before and after indpendence, helped support the British balance of payments. But there is also a neglect of the foundations of the argument. For example, we are given little evidence of the latent radicalism of the Ghanaian masses, aside from the Christianborg riots of 1948.

The authors believe that economics is the clue to the understanding of social development. This belief has tempted them to undertake extensive economic analysis, for which they are obviously unequipped. There are such pardonable errors of omission as the unquestioned acceptance of Charles Bettelheim's argument that economic growth can only be at-

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tained in the new countries by smashing the old economic structures. But shouldn't they be sufficiently curious as to inquire how countries such as Pakistan and Mexico have in fact achieved growth without smashing the old structures? Worse, they incorrectly believe that in Ghana, too, no significant growth has occurred. We are also informed that the "economic surplus" could be increased only by the deliberate establishment of large-scale manufacturing, though there is no examination of the role of increased productivity or of the experience of small countries such as Denmark and New Zealand. Further, the role of economic mismanagement in Nkrumah's downfall is not seriously explored; a tenuous and misconceived link is posited between the U.S. gold price and low wages in Ghana; and finally the authors appear to believe that Ghana could have kept its foreign exchange reserves in Accra (p. 82).

In spite of errors and a certain arrogant glibness, the book is welcome. It is fascinating reading; its application of the Marxian tools is more lively than mechanical; it contains some interesting new ideas for the researcher; and it is a valuable corrective to those, both friends and foes of the Nkrumah regime, who believed that the CPP was a Marxist party determined to wage war against neo-colonialism. But it cannot be accepted as a reliable guide to Ghana's political and economic development.

EDWIN R. DEAN
Columbia University

Africa: The Politics of Unity *by Immanuel Wallerstein. New York, Random House, 1967.—xi, 274 pp. $4.95.*

Creating Political Order: The Party-States of West Africa *by Aristide R. Zolberg. Chicago, Rand McNally, 1966.—vi, 168 pp. $2.50.*

Africa: The Politics of Unity addresses itself to the efforts by African leaders to bring together, in one form or another, the several states which have emerged from the colonial empires. Like so many other social and political goals, the goal of African unity, on a continental scale, is probably more of a myth than a reality; but as a myth it is potent politically. One might disagree with Wallerstein when he asserts that "the movement toward unity has been the most significant single African attempt to affect in an important way the rate and direction of social change";

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decolonization, or the removal of colonial power from the continent, might be more significant. However, one must agree that the drive toward unity does indeed permeate much of contemporary politics in Africa.

The book traces the beginnings of the movement through the phases when unity was synonymous with liberation. Since the author is one of the few American scholars whose work took him to both English- as well as French-speaking areas, his analysis of the diverse, and divergent, efforts to undo the balkanization of Africa across tribal, racial, and linguistic barriers, and across the barriers set up by great power rivalries, is especially valuable. As the myth of unity is confronted by the reality of disunity, of national conflict and dissent, the politics of unity turns into a cacophony of divergent claims. The clash of personalities, the conflict of divergent economic interests, the exigencies of international diplomacy, the consequences of internal strife, combine to blunt the edge of the movement and to erode its political force. No other study on this subject has succeeded in capturing the vibrancy and vitality of the struggle, and the frustrations, as Wallerstein's has.

At the heart of the unity drive—and Wallerstein is more aware of this than anyone else—lies social-revolutionary discontent. Whether one examines the trade-union or youth movements, the ideologists, racial activists, or any other group associated with the general movement, social revolutionary change is writ large across their banners. It overshadows the unity goal. It speaks through the formalities of diplomatic exchange and is visible beneath the façade of solidarity constructed by heads of state on formal occasions. It comes through, loud and clear, at international congresses of the more radical elements.

Perhaps Wallerstein is a shade too uncritical at times. For instance, there is much evidence to indicate that Nkrumah may have been a major stumbling block in the path to unity rather than the maligned prophet, as this book seems to suggest. One might also complain of insufficient regard for hypocrisy and double-talk on the part of many African leaders. Yet, whatever its shortcomings, this book is a major contribution. It is a lively, lucidly written, extensively researched, and richly documented study in depth of one of the major movements stirring the African continent.

There is a rich harvest in Zolberg's book for those who wish to agree and those who take contrary positions, for he has attempted to cover a great deal in a relatively brief space. Be that as it may, *Creating Political Order* is a thoroughly stimulating stock-taking by an astute and expert observer of developments in Ghana, Guinea, Mali, Senegal, and the Ivory Coast, with a view to a summary evaluation of recent experi-

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ments in statecraft in these five countries and of professional literature produced over a decade of African independence.

The process of creating political order out of conditions arising from transfer of power from colonial to African hands is traced from independence, through the search for suitable alternatives, to the new politics. In keeping with the central theme of the book, the analysis is conducted in the context of creation of political parties as the instruments of the new order. Creating political order becomes first a matter of curbing opposition parties, then eliminating them, then establishing a monopoly for what soon degenerates into a political machine which enjoys a monopoly of power.

Occasionally Zolberg may be applying irony too heavily, as in the comment on the 1965 non-election in Nkrumaist Ghana: "Following the British practice for uncontested elections, all 198 CPP candidates were simply declared elected." As one who has examined, in detail, the Ghanaian variant of the political machine, I cannot share Zolberg's sanguine expectations that these machines will somehow turn into superior instruments of statecraft, including redistribution of wealth and social stability among their benefits. On the other hand, not being aware of alternatives, I tend to concur with Zolberg's suggestion that in the political machine might lie an answer at least to the immediate problems of Africa. In any event, the kind of summary evaluation attempted here is to be welcomed. Together with such a study as W. A. Lewis' *Politics in West Africa* (London, 1965), and supplemented by appropriate country studies, Zolberg's volume can serve as an excellent guide for a course in African politics. Although his and Professor Lewis' book are limited to West Africa, the generalizations offered in all probability have wider relevance.

HENRY L. BRETTON
University of Michigan

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Indian and American Labor Legislation and Practices: A Comparative Study *by Arjun P. Aggarwal with the assistance of Brijen K. Gupta. New York, Asia Publishing House, 1966.—xiii, 329 pp. $6.50.*

Freedom of Expression and Security: A Comparative Study of the Function of the Supreme Courts of the United States of America and India *by A. S. Bedi. New York, Asia Publishing House, 1966. —xv, 483 pp. $7.75.*

A wave of American influence on the Indian legal system began to flow strongly at Independence in 1947. India's constitution makers carefully sifted American experience, adopting many American institutions and avoiding others. Since then, legislators occasionally have borrowed from American sources and, more importantly, judges and lawyers have looked to American judicial precedent in interpreting India's constitutional and statutory provisions. This wave of documentary inspiration has been augmented recently by a second, less visible wave of academic inspiration. Over the past dozen years, a sizable portion of the best young Indian law teachers has visited the United States for postgraduate study at leading American law schools. As these teachers rise through the ranks (there are now at least five law deans with American doctorates) they are beginning to have an impact on legal education, though as yet there has been little affect on the wider legal *milieu*. These books are the product of the second wave; both are doctoral dissertations at major American law schools. Their subject matter is the first wave; in each case a comparison is offered between Indian and American law in a field where there is strong influence of American models.

Dr. Aggarwal's useful study of labor law offers a point-by-point comparison of Indian and American (federal only) doctrine on three topics: strikes, discharges, and dispute-settling machinery. There are only passing observations on picketing (and coercive techniques generally), organizing, and union recognition. Dr. Aggarwal's analysis is informed by a close knowledge of practical conditions in India, but these are not, in spite of the title, the subject of this study. No systematic picture of Indian labor relations is presented: data on the number of union members, of strikes, of disputes before tribunals are lacking (though given for the United States). His analysis of the cases provides a framework for an incisive critique of the Indian pattern of labor relations, which Dr. Aggarwal castigates as paternalistic, moralistic, and inefficiently coercive. He suggests that the system of conciliation

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machinery in India has been a "dismal failure" on economic issues, while supplying only a cumbersome, expensive, and tardy grievance machinery. He criticizes the lack of specialists in labor relations and the legalism of the tribunals which improvise law, often by "haphazard and unsystematic" borrowing from American sources. Although he does not include specific proposals in this brief study, Dr. Aggarwal indicates forthrightly his preference for a system of collective bargaining. The book is admirably concise (the last hundred pages are appended selections from statutes). The publishers are remiss in omitting a table of abbreviations.

Dr. Bedi's volume is much longer, more detailed, more restricted in scope, and more obscure in purpose. His dominating concern is the analysis of the rules and doctrines propounded by the highest courts. He handles each court separately and adds a single comparative chapter. After a warm-up on the English common law, he devotes the bulk of the book to free-speech versus anti-sedition statutes in the United States Supreme Court through the *Yates* case. His painstaking and cogent analysis suggests that such protection as that court offered to freedom of speech had little to do with the niceties of judicial rule-making but was the product of the Court's political role as an institution which could impede legislative programs by, for example, restrictive construction and by creating an aura of unconstitutionality around certain measures. Yet Dr. Bedi adheres to the notion that the problem is to find the right rule.

The analysis of Indian and American rules in tandem is evidently an academic exigency, but it is unclear that it deepens understanding of how the Indian legal system actually works. As both books point out, similarities of doctrine and rhetoric set in vastly different contexts, dissolve into distinct patterns of practice. One wonders whether American legal training, which is only beginning to move beyond its own exclusive fascination with appellate court rule-making, can provide the tools for comparative analysis of law in operation. While a society so rich in documentation as the United States can more readily afford the haphazard empiricism of American legal scholaship, the Indian situation seems to require more than improved techniques of doctrinal analysis. Just as American constitutional formulas required careful adaptation to Indian conditions, so these studies point to the need for similar care in the importation of scholarly techniques.

MARC GALANTER
University of Chicago

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Latin American Economic Integration: Experiences and Prospects *edited by Miguel S. Wionczek. New York, London, and Washington, Frederick A. Praeger, 1966. —xiv, 310 pp. $7.50.*

A Latin American Common Market? *by Sidney Dell. London, New York, and Toronto, Oxford University Press for the Royal Institute of International Affairs, 1966. —ix, 336 pp. $8.80.*

Spurred by the success of the European Common Market, the United Nations Economic Commission for Latin America (ECLA), under the leadership of Dr. Raúl Prebisch, proposed creation of a Latin American Free Trade Association (LAFTA). It was accomplished by the Treaty of Montevideo (February 1960). Support for its further evolution into an integrated common market promptly developed. Measures to that end indeed formed the substance of the American Presidents' meeting in April 1967, when the United States, changing its policy, supported the idea.

The volumes under review comprise the best body of material on LAFTA's results and prospects thus far appearing in English.

Miguel S. Wionczek presents nineteen essays by highly competent men. Several detail LAFTA's experience. Others offer a technical critique by scholars and commentaries by men familiar with both the theory and practice of LAFTA's work. Notable is a chapter by Raúl Prebisch himself on the obstacles to a Latin American common market, not without undertones of bitterness at the current organization of world trade, causing poor countries to grow poorer, developed countries richer. Another by Jan Tinbergen, "Heavy Industry in the Latin American Common Market," is brief but penetrating. Felipe Herrera, head of the highly successful Inter-American Bank, suggests enlargement of the role of that bank and practical financial measures. All essayists hold that LAFTA must develop toward a politically integrated system as the European Common Market (up to now) has done.

Sidney Dell's volume is at once more critical, more optimistic, and greater in depth. A British member of the United Nations staff, his book is somewhat more detached. Perhaps more than the essayists collected by Wionczek, he is all for integration. He strongly questions the orthodox economic theory of Professor Jacob Viner that common markets do not create but merely divert trade. But, he adds, creation of an integrated common market turns in part on solutions of social problems (land reform, social equality, equal education, better distribution of income, and opportunities for the masses). The problem is thus political as well as economic: "The real question in Latin America, therefore, is this. Have the peoples and their governments reached the stage at which they

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are prepared to undertake both national and co-operative planning of Latin American development?" (pp. 209-10). It cannot be taken for granted that they have. It is still a question whether LAFTA can be made to include authority for effective intergovernmental cooperation achieved by the economically more highly developed, socially more sophisticated, and geographically more articulated European governments. Dell's conclusion,

> economic progress in Latin America depends on much more than the lowering of the barriers to trade within the area: reductions of tariffs would be meaningless without far-reaching reforms in land tenure and tax structure, and without an improvement in the distribution of income sufficient to persuade the mass of the population that they too may enjoy the fruits of economic advancement (p. 217),

is unchallengeable. Integration alone will not produce the will to economic development; it can only enhance existing forces working toward it.

This reviewer believes such forces do exist—indeed, are already more effective than many suppose. Dell's book is indispensable to any student of Latin American regional development and his thesis is unimpeachable. But like President Eduardo Frei of Chile, I am more optimistic than Dell.

Two excellent volumes.

ADOLF A. BERLE
Columbia University

Parasitism and Subversion: The Case of Latin America *by Stanislav Andreski. New York, Pantheon Books, 1966.—304 pp. $5.95.*

Parasitism and Subversion is, at best, a highly personal interpretation of the factors that foster or impede Latin America's quest for a "decent social order."

The Polish-born author, a sociologist at Reading University, England, contends that the region's present "predicament" is the consequence of a relentless twofold process. On the one hand, rapid demographic growth now outstrips the benefits of increased production. On the other, the consequent misery and endemic poverty enable parasitic classes to obtain—"by predation and strife"—"a large share of the wealth without in any way contributing towards its production . . . ." It is Andreski's chief contention that "parasitism constitutes the most powerful brake on economical progress . . ." (p. 12).

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Understandably, parasitism becomes an obsession. It is not only the "original sin" of the Conquest, but also the key legacy to the retrograde customs and institutions that account for Latin America's present instability and backwardness (p. 26). Then and now, it takes many forms: graft, tax-evasion, disdain for manual labor, and other varieties of antisocial behavior whose roots, we are told à la Gilberto Freyre, are embedded in the sexual mores of the conquistadors. Like a disease, parasitism pervades all social groups: landowners, churchmen, the military, post-revolutionary Mexican bureaucrats notwithstanding. Only subversion or the "threat of a murderous revolution" seems capable of breaking the vicious circle in which parasitism, poverty, and population growth generate each other. Even then, however, there is no guarantee that a totalitarian regime can create the "blessed condition of the welfare state" unless, according to Andreski, a rigid ideology takes a moral hold to prevent new leaders from atavistically bowing to parasitic inclinations.

Unfortunately, this lop-sided and moralistic indictment serves to justify only the author's pessimism about Latin America's future. It reveals little about the historical and actual processes by which the region's leaders and institutions in fact operate whether solely for their own gain or, as if by a fluke, in society's better interests.

More disconcerting are the author's anachronistic and, yes, cynical "solutions"—that the countries of Central America would probably benefit under a government of, by, and for the United Fruit Company (p. 102), or, that the people's lot in the Dominican Republic would improve "if the United States were to practise an old-fashioned and decent kind of imperialism, and incorporate them into its own national territory" (p. 278). Because of this lack of realism and sensitivity to Latin American national aspirations, even his reasonable plea for a regional birth-control program will probably be received with the suspicion reserved in the third world for such "altruistic" proposals of the developed nations.

For those interested in a more balanced, realistic, and systematic discussion of the problems and prospects of Latin American "development," the recent studies of Albert Hirschman and Charles Anderson will prove far more enlightening.

R. DELLA CAVA
Queens College of the
City University of New York

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Book Notes

Left in the Centre: The Independent Labour Party, 1893-1940 (Evanston, Northwestern University Press, 1966; xi, 231 pp., $6.95) by Robert E. Dowse concentrates almost exclusively on the interwar years. Some of the problems examined, however, are strikingly similar to those which plagued the ILP before 1914. Ramsay MacDonald was warning in 1907 that there must be a split in the Labour party unless the ILP could support "a sane labourious policy of reconstruction having for a background an active platform idealism," but MacDonald's formula of socialism by installments, his insistence on flexibility and on a readiness to compromise, always exasperated the more ardent spirits in the ILP. A "background" or strictly propagandist role they could never fully accept. Yet the trade unions on whom the Labour party depended for the bulk of its funds and for an organized following were bound to determine policy and set the pace if only by sheer weight of numbers, while the ILP was too weak to advance, or for that matter even continue as an effective force, except in alliance with the unions. Mr. Dowse sees the ILP's dilemma and eventual decline largely in terms of its structure. There was no sustained strong and able leadership form the center. A narrow provincialism prevailed, especially in Lancashire and in Scotland. These structural defects only reflect, however, the ILP's failure to reconcile its propaganda with its parliamentary role. Praiseworthy goals but division and a certain fussiness as to means had characterized a vocal section of the ILP from its inception. After 1918 the Labour party's commitment to a long-range Socialist program and its reliance in the constituencies on newly-created local associations instead of on the ILP branches, pushed the ILP further toward a peripheral and untenable position. Seeing socialism as a "way of life," as a total transformation of society, many ILPers were better prepared, emotionally and intellectually, by the nineteen-thirties for the imminent collapse of capitalism than they were for the difficult task of winning new converts or for translating their theories

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into practical legislation. When the capitalist system did not collapse, the ILP, without the backing in the country or the numbers in the Labour party to impose its preferences, had no choice but to be absorbed into the Labour party or to maintain purity of principle by separating from it. And separation, as many in the movement foresaw, meant political suicide. Mr. Dowse notes that ILP critics of leaders like MacDonald and Snowden regarded them as cautious social reformers by temperament and conviction and were not impressed by the argument that the widening gap between Labour's promise and performance was due simply to political exigencies, above all to the minority position of the Labour governments of 1924 and 1929-31. This deserves to be stressed. Nevertheless, the quandary of the ILP remained rooted in its inability as a body to adjust to consensual politics. Mr. Dowse has done very thorough spade work and has produced a valuable study, but in emphasizing structural factors which left the ILP "little room for manoeuvre," he has not exhausted the subject by any means. The psychology of the more sectarian and politically inept elements in the ILP is worth further examination. —PHILIP P. POIRIER, *Ohio State University*.

In *Communism in Europe: Continuity, Change, and the Sino-Soviet Dispute*, Vol. 2 (Cambridge, Mass., and London, The M.I.T. Press, 1966; xiv, 439 pp., $12.50, 94/-), editor William E. Griffith continues his analysis of European communism in the postwar period, especially the "post-Stalin" period. This work presents solidly documented studies of the history of the Communist parties of the German Democratic Republic, Czechoslovakia, Sweden, Norway, and Finland. Each author has attempted to situate "his" party both in its national socio-political environment and within the framework of the international Communist movement, successfully combining the presentation of the long-term trend with the continual oscillations which are as much the result of circumstances as deliberate tactics. It is not possible to say, upon closing this book, whether the Sino-Soviet conflict has played a decisive role in the evolution of the Soviet Union's relations with the Communist parties of Europe. Polycentrism is less the result of a "Chinese alternative" than of the changes that have taken place inside the U.S.S.R. since the death of Stalin and of the obligation incumbent upon the leaders of Communist parties in power to resolve practically the problems posed by the routine life of the nations for whom they were responsible. The shift of the balance of power in favor of the United States, particularly since the Cuban crisis, and Europe's economic recovery have certainly had repercussions

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on economic and political relations within the Socialist system. But the power and influence of the United States have limits which perhaps appear clearer today than they did in 1965.—JACQUES FREYMOND, *Graduate Institute of International Studies, Geneva.*

February 1917 marked the beginning of secret peace feelers between the French government and Emperor Charles of Austria, recounts Robert A. Kann in his *Die Sixtusaffäre und die geheimen Friedensverhandlungen Österreich-Ungarns im Ersten Weltkrieg* (Vienna, Verlag für Geschichte und Politik, 1966; 94 pp., öS 65.-). Acting as intermediaries between the two partners were the Princes Sixtus and Xaver Bourbon-Parma, in-laws of the Emperor and officers in the Belgian army. The exchange of communications led nowhere, but the subsequent indiscretions of the Austrian Foreign Minister, Count Czernin, caused one of the greatest scandals in European diplomacy and shook the confidence of Germany, the Emperor's own subjects, and, ironically, also of the Entente powers, in the Austrian leaders. Professor Kann, in a brilliant study, not only reviews the voluminous literature on the subject, and re-evaluates many a hasty interpretation, but enriches our knowledge with the publication of a find of his own: Czernin's postwar *pro memoria* on the "Sixtus affair" dictated to the former Austrian Minister Dr. Joseph Baernreither. Considering that Czernin's published memoirs contain almost nothing on the Sixtus affair, this document hitherto hidden in the Baernreither Diaries in the Austrian *Staatsarchiv* is most valuable. It shows that Czernin was kept in the dark by his breadgiver on the true nature of the Sixtus negotiations and that he was the victim of extraordinary Imperial gaucheries. This, however, does not exonerate Czernin, who, as Professor Kann explains, was guilty of expansionist ambitions coupled with utter pessimism about the future of his country, wishful thinking, a contempt for democratic procedure, and a general inability to understand his age. As to the Parma family, they "wanted to exchange Negroes for Italians, irredentists for colonial peoples, as if these were postal stamps or crowns" (p. 66). Austria-Hungary had bad leaders in the last years of the war; generous with German territories, ungenerous with their own, they desperately wanted an end to the war but would not grab the opportunities for peace.—ISTVAN DEAK, *Columbia University.*

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